

**NORTHAMPTON BOROUGH COUNCIL**

**PLANNING COMMITTEE**

YOUR ATTENDANCE IS REQUESTED AT A MEETING TO BE HELD AT  
THE GUILDHALL ON TUESDAY, 12 JANUARY 2010 AT 6:00 PM.

**D. KENNEDY**  
**CHIEF EXECUTIVE**

**AGENDA**

1. APOLOGIES
2. MINUTES
3. DEPUTATIONS / PUBLIC ADDRESSES
4. DECLARATIONS OF INTEREST
5. MATTERS OF URGENCY WHICH BY REASON OF SPECIAL CIRCUMSTANCES THE CHAIR IS OF THE OPINION SHOULD BE CONSIDERED
- .... 6. LIST OF CURRENT APPEALS AND INQUIRIES  
Report of Head of Planning (copy herewith) A.  
HOLDEN  
X 8466
7. OTHER REPORTS
8. NORTHAMPTONSHIRE COUNTY COUNCIL APPLICATIONS  
None
9. NORTHAMPTON BOROUGH COUNCIL APPLICATIONS
- .... (A) N/2009/0976- EXTENSION TO ACCOMMODATE  
ADDITIONAL ELEVATOR AT ELENORE HOUSE,  
BUTTERMERE CLOSE J. MOORE  
X 8345  
Report of Head of Planning  
(copy herewith)  
**Ward: Eastfield**
- .... (B) N/2009/1008- INSTALLATION OF LED FEATURE  
LIGHTING EQUIPMENT AT 32 MARKET SQUARE B.  
CLARKE  
X 8916  
Report of Head of Planning  
(copy herewith)  
**Ward: Castle**
- .... (C) N/2009/1009- INSTALLATION OF LED FEATURE  
LIGHTING EQUIPMENT AT LLOYDS TSB, 8-9 MARKET  
SQUARE B.  
CLARKE  
X 8916  
Report of Head of Planning  
(see report for 9B)  
**Ward: Castle**

- ..... (D) N/2009/1010- INSTALLATION OF LED FEATURE LIGHTING EQUIPMENT AT PHONES4U, 1ABINGTON STREET  
 Report of Head of Planning  
 (see report for 9B)  
**Ward: Castle**  
 B.  
 CLARKE  
 X 8916
- ..... (E) N/2009/1011- INSTALLATION OF LED FEATURE LIGHTING EQUIPMENT AT THE AUCTIONEERS PUBLIC HOUSE, 11-12 MARKET SQUARE  
 Report of Head of Planning  
 (see report for 9B)  
**Ward: Castle**  
 B.  
 CLARKE  
 X 8916
- ..... (F) N/2009/1012- INSTALLATION OF LED FEATURE LIGHTING EQUIPMENT AT LADBROKES, 5-6 MARKET SQUARE  
 Report of Head of Planning  
 (see report for 9B)  
**Ward: Castle**  
 B.  
 CLARKE  
 X 8916
- ..... (G) N/2009/1013- INSTALLATION OF LED FEATURE LIGHTING EQUIPMENT AT ABBEY NATIONAL, 1 MARKET SQUARE  
 Report of Head of Planning  
 (see report for 9B)  
**Ward: Castle**  
 B.  
 CLARKE  
 X 8916
- ..... (H) N/2009/1014- INSTALLATION OF LED FEATURE LIGHTING EQUIPMENT AT EXTRASTAFF, 7 MARKET SQUARE  
 Report of Head of Planning  
 (see report for 9B)  
**Ward: Castle**  
 B.  
 CLARKE  
 X 8916
- ..... (I) N/2009/1015- INSTALLATION OF LED FEATURE LIGHTING EQUIPMENT AT WELSH HOUSE, 2 NEWLAND WALK  
 Report of Head of Planning  
 (see report for 9B)  
**Ward: Castle**  
 B.  
 CLARKE  
 X 8916
- ..... (J) N/2009/1016- INSTALLATION OF LED FEATURE LIGHTING EQUIPMENT AT CHICAGO ROCK CAFE, 4-5 THE PARADE  
 Report of Head of Planning  
 (see report for 9B)  
**Ward: Castle**  
 B.  
 CLARKE  
 X8916

.... (K) N/2009/1017- INSTALLATION OF LED FEATURE LIGHTING EQUIPMENT AT PRIMETIME RECRUITMENT, 18 MARKET SQUARE B. CLARKE X 8916  
Report of Head of Planning (see report 9B)

**Ward: Castle**

.... (L) N/2009/1018- INSTALLATION OF LED FEATURE LIGHTING EQUIPMENT AT 13 MARKET SQUARE B. CLARKE 8916  
Report of Head of Planning (See report for 9B)

**Ward: Castle**

.... (M) N/2009/1019- INSTALLATION OF LED FEATURE LIGHTING EQUIPMENT AT HALIFAX, 17 MARKET SQUARE B. CLARKE X 8916  
Report of Head of Planning (See report for 9B)

**Ward: Castle**

.... (N) N/2009/1020- INSTALLATION OF LED FEATURE LIGHTING EQUIPMENT AT 19 MARKET SQUARE B. CLARKE X 8916  
Report of Head of Planning (See report for 9B)

**Ward: Castle**

10. ITEMS FOR DETERMINATION

An Addendum of further information considered by the Committee is attached.

.... (A) ITEM WITHDRAWN A. HOLDEN X 8466

.... (B) N/2009/0911- PROPOSED NEW ENTRANCE TOGETHER WITH ALTERATIONS TO CREATE ADDITIONAL CONSULTING ROOM, NEW DISABLED PARKING BAY AND VEHICULAR CROSS OVER AT QUEENSVIEW MEDICAL CENTRE, THORNTON ROAD (AS AMENDED BY REVISED PLANS RECEIVED ON 3 DECEMBER 2009) G. WYATT X 8912  
Report of Head of Planning (copy herewith)

**Ward: Kingsthorpe**

.... (C) N/2009/0955- VARIATION OF CONDITION 7 OF PLANNING APPLICATION 94/0442 REQUESTING 4 YEARLY SOCIAL EVENTS UNTIL 24.00 (MIDNIGHT) AT COLLINGTREE PRIMARY SCHOOL, LODGE AVENUE (AS AMENDED BY REVISED PLAN RECEIVED ON 2 DECEMBER 2009) B. CLARKE X 8916

Report of Head of Planning  
(copy herewith)

**Ward: Nene Valley**

- .... (D) N/2009/0968- CONVERSION INTO 2NO 1 BED FLATS,  
4NO NEW 1 BED FLATS AND 2NO NEW BED SEMI-  
DETACHED DWELLINGS AT 54 ADAMS AVENUE  
(RESUBMISSION OF N/2007/1461) A.  
HOLDEN  
X 8466

Report of Head of Planning  
(copy herewith)

**Ward: Abington**

11. ENFORCEMENT MATTERS

- .... (A) E/2009/567- BREACH OF PLANNING CONTROL AT 1  
HUMBER CLOSE T.  
ROBERTS  
X 7842
- Report of Head of Planning  
(copy herewith)

**Ward: Spencer**

12. APPLICATIONS FOR CONSULTATION

- .... (A) N/2009/0179- OUTLINE PLANNING PERMISSION FOR  
RESIDENTIAL DEVELOPMENT ON LAND (ALL MATTERS  
RESERVED OTHER THAN MEANS OF ACCESS) AT  
FORMER NORTHAMPTON MIDDLE SCHOOL AND  
GREEN OAKS LOWER SCHOOL (USE CLASS C3-  
DWELLING HOUSES) AT FORMER MIDDLE SCHOOL AND  
GREEN OAKS LOWER SCHOOL, BECTIVE ROAD B.  
CLARKE  
X 8916

Report of Head of Planning  
(copy herewith)

**Ward: St David**

- .... (B) N/2009/0731- ERECTION OF A CLASS A1 FOOD RETAIL  
STORE AND ASSOCIATED CAR PARKING AT STORM  
SAAB, WESTONIA GARAGE, 582-592  
WELLINGBOROUGH ROAD B.  
CLARKE  
X 8916

Report of Head of Planning  
(copy herewith)

**Ward: Weston**

- .... (C) N/2009/0744- RESERVED MATTERS APPLICATION  
INCLUDING APPEARANCE, LANDSCAPING, LAYOUT  
AND SCALE PURSUANT TO OUTLINE CONSENT R.  
SIMPSON  
X 7848  
WN/2006/0013 DATED 19.4.07- ERECTION OF 231  
DWELLINGS, ROADS AND SEWERS AND PUBLIC OPEN  
SPACE AT PHASE 3 FORMER TIMKEN SITE, MAIN ROAD,  
DUSTON

Report of Head of Planning  
(copy herewith)

**Ward: Old Duston**

13. EXCLUSION OF PUBLIC AND PRESS

THE CHAIR TO MOVE:

“THAT THE PUBLIC AND PRESS BE EXCLUDED FROM THE REMAINDER OF THE MEETING ON THE GROUNDS THAT THERE IS LIKELY TO BE DISCLOSURE TO THEM OF SUCH CATEGORIES OF EXEMPT INFORMATION AS DEFINED BY SECTION 100(1) OF THE LOCAL GOVERNMENT ACT 1972 AS LISTED AGAINST SUCH ITEMS OF BUSINESS BY REFERENCE TO THE APPROPRIATE PARAGRAPH OF SCHEDULE 12A TO SUCH ACT.”

## **SUPPLEMENTARY AGENDA**

**Exempted Under Schedule  
12A of L.Govt Act 1972  
Para No:-**

<TRAILER\_SECTION>  
A6164

## NORTHAMPTON BOROUGH COUNCIL

### PLANNING COMMITTEE

Tuesday, 15 December 2009

**PRESENT:** Councillor Collins (Chair); Councillor Meredith (Deputy Chair);  
Councillors Church, Golby, Lane, Malpas, Mason, Matthews and  
Woods

#### 1. APOLOGIES

Apologies were received from Councillors J Conroy and M Hoare

#### 2. MINUTES

The minutes of the meeting held on 17 November 2009 were signed by the Chair.

#### 3. DEPUTATIONS / PUBLIC ADDRESSES

**RESOLVED:** (1) That Messrs Cook, Lewis and Smith-Cresswell and Councillor Simpson be granted leave to address the Committee in respect of Application No N/2009/0871 – Application for Certificate of Lawful Use of Dwelling House as a House for Children (Class C3) at 6 Kingsley Road.

(2) That Mr Folwell and Councillor Larratt be granted leave to address the Committee in respect of Application No N/2009/0885 – Two Storey Side Extension at 13 Thornby Drive.

#### 4. DECLARATIONS OF INTEREST

Councillor Church declared a personal and prejudicial interest in Item 9A, N/2009/0676 – Pedestrian and Cycle Bridge Over the River Nene and Grand Union Canal at Banbury Lane, as being the Portfolio Holder for Planning and Regeneration.

Councillor Woods declared a personal interest in Item 9A, N/2009/0676 – Pedestrian and Cycle Bridge Over the River Nene and Grand Union Canal at Banbury Lane, as previously being associated with Connect2.

Councillor Collins declared a personal interest in Item 9A, N/2009/0676 – Pedestrian and Cycle Bridge Over the River Nene and Grand Union Canal at Banbury Lane, as being a prospective parliamentary candidate for Northampton South.

Councillor Matthews declared a personal interest in Item 9A, N/2009/0676 – Pedestrian and Cycle Bridge Over the River Nene and Grand Union Canal at Banbury Lane.

Councillors Church and Woods declared an interest in Item 9B, N/2009/0902 – Demolition of Two Garage Blocks and Development of Eight Affordable Houses and Associated Works at Lock-up Garages on Woodside Way, as having been Members of

the Cabinet when the scheme had first arisen.

Councillor Malpas declared a personal interest in Item 9B, N/2009/0902 – Demolition of Two Garage Blocks and Development of Eight Affordable Houses and Associated Works at Lock-up Garages on Woodside Way, as being the Chair of Scrutiny Committee and had agreed discussion of the Item at Cabinet.

Councillors Mason and Malpas declared a personal interest in Item 12B, N/2009/0910 – Demolition of Existing Bective Works and Jebez House and the Erection of 155no Residential Units With Associated Landscaping and Underground Car Park Between Bective Road and Yelvertoft Road (Application to Replace Existing Planning Permission Ref WN/2006/0028 Dated 1/11/2006 in Order to Extend the Time Limit for Implementation), as having been previous Members of the Planning Committee when the original planning permission had been considered.

Councillors Church and Woods declared a personal interest in Item 12A, N/2007/1570 – Outline Application for 625 Dwellings of Mixed Type and Tenure, Primary School and Community Resource Centre, Local Centre Facilities Including Shops (Class A1), Financial and Professional Services (Class A2), Restaurant/Café (Class A3), Drinking Establishment (Class A4), Hot Food Takeaway (Class A5), Structural Public Open Space With Associated Access, Parking, Groundworks, Infrastructure, Landscaping and Access at land at Pineham North/Banbury Lane, as being Board Members of WNDC.

Councillor Church declared a personal interest in respect of Item 12B, N/2009/0910 – Demolition of Existing Bective Works and Jebez House and the Erection of 155no Residential Units With Associated Landscaping and Underground Car Park Between Bective Road and Yelvertoft Road (Application to Replace Existing Planning Permission Ref WN/2006/0028 Dated 1/11/2006 in Order to Extend the Time Limit for Implementation), as being a WNDC Board Member.

Councillor Woods declared a personal and prejudicial interest in respect of Item 12B, N/2009/0910 – Demolition of Existing Bective Works and Jebez House and the Erection of 155no Residential Units With Associated Landscaping and Underground Car Park Between Bective Road and Yelvertoft Road (Application to Replace Existing Planning Permission Ref WN/2006/0028 Dated 1/11/2006 in Order to Extend the Time Limit for Implementation).

Councillor Collins declared a personal and prejudicial interest in respect of Item 12B, N/2009/0910 – Demolition of Existing Bective Works and Jebez House and the Erection of 155no Residential Units With Associated Landscaping and Underground Car Park Between Bective Road and Yelvertoft Road (Application to Replace Existing Planning Permission Ref WN/2006/0028 Dated 1/11/2006 in Order to Extend the Time Limit for Implementation), as his partner had objected to the proposal.

**5. MATTERS OF URGENCY WHICH BY REASON OF SPECIAL CIRCUMSTANCES THE CHAIR IS OF THE OPINION SHOULD BE CONSIDERED**

None.



## **6. LIST OF CURRENT APPEALS AND INQUIRIES**

The Head of Planning submitted a report and elaborated thereon.

**RESOLVED:** That the report be noted.

## **7. OTHER REPORTS**

None.

## **8. NORTHAMPTONSHIRE COUNTY COUNCIL APPLICATIONS**

None.

## **9. NORTHAMPTON BOROUGH COUNCIL APPLICATIONS**

### **(A) N/2009/0676- PEDESTRIAN AND CYCLE BRIDGE OVER THE RIVER NENE AND GRAND UNION CANAL AT BANBURY LANE**

Councillor Church left the room in accordance with his earlier Declaration of Interest.

The Head of Planning submitted a report in respect of Application No N/2009/0676 and referred to the Addendum, which amended the width of the proposed bridge to 3 metres and set out comments received from Councillor P D Varnsberry.

The Committee discussed the application.

**RESOLVED:** That the application be approved subject to the conditions set out in the report as the proposal would enhance access to the Upton Country Park, which would contribute to the promotion of more sustainable means of transport. The proposal had demonstrated that it would not unduly impinge upon the character and appearance of the locality and would not adversely impact upon the ecology of the location or increase flood risk. The proposal therefore complies with Policies E20 and L17 of the Northampton Local Plan and PPS9 and PPS25.

(Councillor Church rejoined the meeting.)

### **(B) N/2009/0902- DEMOLITION OF TWO GARAGE BLOCKS AND DEVELOPMENT OF EIGHT AFFORDABLE HOUSES AND ASSOCIATED WORKS AT LOCK- UP GARAGES ON WOODSIDE WAY**

The Head of Planning submitted a report and referred to the Addendum, which set out a revision of the Scheme and set out comments from the Highways Authority.

The Committee discussed the application.

**RESOLVED:** (1) That determination of the application as revised be delegated to the Head of Planning to secure adjustments to the layout in order to improve the visibility splay to the drive of Plot 2 subject to the conditions set out in the report and addendum as the proposal would result in the enhancement of the character and appearance

of the are through the removal of an unattractive and disused garage court. The proposal would secure a satisfactory level of amenity for the future occupiers of the proposed and existing dwellings and would not detrimentally impact upon highway safety or other interest of acknowledged importance. The proposal therefore complies with Policies E20, E40 and H6 of the Northampton Local Plan and PPS1, PPS3 and PPG13.

- (2) That the Head of Planning be delegated authority to agree adjustments to Plot 2 so as to improve the visibility splays.

## **10. ITEMS FOR DETERMINATION**

### **(A) N/2009/0868- DROPPED KERB AND VEHICULAR CROSSOVER AT 53 KENMUIR AVENUE**

The Head of Planning submitted a report in respect of Application No N/2009/0868 and elaborated thereon.

The Committee discussed the application.

**RESOLVED:** That the application be approved subject to the conditions set out in the report as the proposal is not considered detrimental to highway or pedestrian safety and is in accordance with advice received from the Highway Authority and the aims and objectives of PPG13 – Transport.

### **(B) N/2009/0871- APPLICATION FOR CERTIFICATE OF LAWFUL USE OF DWELLING HOUSE AS A HOUSE FOR CHILDREN (CLASS C3) AT 6 KINGSLEY ROAD**

The Head of Planning submitted a report and referred to the Addendum, which set out a further objection received from 120 St Georges Avenue. The Head of Planning noted that this matter was a technical issue and was not a planning application. The issue to be determined was whether the proposed use fell within the same Use Class of the Town and Country Planning (Use Classes) Order 1987 (as amended), as the current use. The applicant had submitted evidence to support their position. He also referred to paragraphs 7.4 to 7.19 of the report, which set out guidance on the interpretation and application of the Use Classes Order and the criteria for “a single person or persons living together as a family” and for “no more than six residents living together as a single household”. The Borough Solicitor confirmed that the issue before the Committee was not a planning application and that the burden of proof was on the applicant to demonstrate that the proposed use still fell within Class C3. The issues to be considered were solely legal and evidence based.

Mr P Smith-Cresswell noted that the question before the Committee was whether the proposed use was similar to the existing. He believed the guidance was not clear regarding the meaning of a single household. Up to four children with two carers or even five children with one carer would still be within the meaning of Use Class C3. This proposal was for potentially six carers to provide care and support on a rotared basis. It appeared that no-one would be sleeping in over night and there would be a frequent turnover of children. He queried whether this was more akin to an Institution,

which seemed to better fit the definition of a care home within Use Class C2. He felt the Committee needed to be careful that the applicant was not using this situation as a device to avoid applying for planning permission.

Mr Lewis noted that the applicant needed to demonstrate that the proposed use fell within Use Class C3. It seemed clearly to him that it was C2. There would be a frequent turnover of children, which was not consistent with family use. He noted that as the young people could come from potentially a wide range of backgrounds, how would they be integrated as a single household. He noted that no carer would be sleeping over night and queried whether carers would write reports and risk assessments etc on the children resident. All of this seemed to him to be more like an Institution. He also queried if fire doors and notices were to be provided; then this would not normally be found in a dwelling. He believed that the applicant had not provided sufficient evidence and asked that consideration of the matter be deferred to allow the applicant to provide further information.

Councillor Simpson noted that the matter was a technical one and he had called it in as he had received five separate representations about it. He noted that the issue could not be considered on planning grounds, but the question was if it was a care home did it fall within C3 or C2. He noted that there would be a turnover of staff and of children and queried whether this was the same as a family home. He believed that there would be more intensive support to the children who would be resident and felt that the proposal seemed more like a Class C2 use. He commented that he was not opposed to the idea if the concerns raised by the public could be addressed through the planning process.

Mr Cook, on behalf of the applicant, commented that he believed the report was accurate and that it concurred with the legal advice they had received. He noted that a similar Certificate of Lawfulness had been given to another property in the town. He noted that the premises would be subject to Ofsted requirements in respect of children living in homes and that there should be a family environment for up to five children.

In answer to a question, the Head of Planning noted that there was no technical definition of "living together as a family" within the Use Classes Order. It was also noted that the proposed use fell within Use Class C3 but if this changed over time, such that it was no longer within C3 then planning permission would then be required and the Council could assess and control the use either by taking enforcement action or requiring the submission of a planning application for the change of use.

The Committee discussed the application.

**RESOLVED:** That the application for a Certificate of Lawfulness be granted as the Council is satisfied that the use of the building as described fell within Use Class C3 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended).

### **(C) N/2009/0885- TWO STOREY SIDE EXTENSION AT 13 THORNBY DRIVE**

The Head of Planning submitted a report in respect of Application No N/2009/0885 and referred to the Addendum, which set out further comments by the applicant's son, Mr Folwell. He noted that the proposal was a revised scheme and the applicant had

asked for the family's personal circumstances to be taken into account. He noted that personal circumstances were not a material consideration.

Mr Folwell commented on the importance of the proposal to his family and displayed photographs of nearby properties, including some in Thornby Drive that had been extended. He noted that the property had been the family home for forty five years.

Councillor Larratt noted that the property had been the Folwell family home for forty five years and believed that the proposed refusal of the application was ridiculous. He commented that the property was currently occupied by Mr Folwell's mother and disabled brother and that Mr Folwell wanted to move into the property with his own family so as to be able to look after them. He had visited the area and was surprised at the proposed refusal, considering the other properties which had been extended in the vicinity. He noted that the gap between 15 and 13 Thornby Drive was significant and the proposal was only to build to the existing building line and therefore the whole gap would not be infilled.

The Head of Planning noted that the other properties that had been extended in Thornby Drive had a different relationship with neighbouring properties and had been decided before the Council's Residential Extensions Design Guide SPG had been adopted in September 2002 as set out in paragraphs 7.8 and 7.9 of the report.

The Committee discussed the application.

Councillor Malpas proposed and Councillor Church seconded:

"That the application be approved subject to conditions to be agreed by the Head of Planning, as the proposed extension by reason of its design, scale, and siting would be sympathetic to the character and appearance of the host building and wider area and would not give rise to harm of neighbour amenity or other interests of acknowledged importance in accordance with Policies H18 and E20 of the Northampton Local Plan and advice in SPG "Residential Extensions Design Guide".

Upon a vote the motion was carried.

**RESOLVED:** That the application be approved subject to the Head of Planning agreeing appropriate conditions, the proposed extension, by reason of its design, scale and siting, would be sympathetic to the character and appearance of the host building and wider area and would not give rise to harm to neighbour amenity or other interests of acknowledged importance in accordance with Policies H18 and E20 of the Northampton Local Plan and advice in SPG "Residential Extensions Design Guide".

**(D) N/2009/0895- PROPOSED SINGLE STOREY REAR EXTENSION AT 140 BEECH AVENUE**

The Head of Planning submitted a report in respect of Application No N/2009/0895 and elaborated thereon.

The Committee discussed the application.

**RESOLVED:** That the application be approved subject to the conditions set out in the report, as the siting and design of the extension is acceptable and would not be detrimental to visual or residential amenity in accordance with Policies H18 and E20 of the Northampton Local Plan.

## **11. ENFORCEMENT MATTERS**

None.

## **12. APPLICATIONS FOR CONSULTATION**

- (A) N/2007/1570- OUTLINE APPLICATION FOR 625 DWELLINGS OF MIXED TYPE & TENURE, PRIMARY SCHOOL & COMMUNITY RESOURCE CENTRE, LOCAL CENTRE FACILITIES INCLUDING SHOPS (CLASS A1), FINANCIAL & PROFESSIONAL SERVICES (CLASS A2), RESTAURANT/CAFE (CLASS A3), DRINKING ESTABLISHMENT (CLASS A4), HOT FOOD TAKEAWAY (CLASS A5), STRUCTURAL PUBLIC OPEN SPACE WITH ASSOCIATED ACCESS, PARKING, GROUND WORKS, INFRASTRUCTURE, LANDSCAPING & ACCESS AT LAND AT PINEHAM NORTH, BANBURY LANE**

The Head of Planning submitted a report in respect of Application No N/2007/1570 and the Addendum, which set out comments from Councillor P D Varnsberry and proposed an additional recommendation to request the WNDC to ensure Section 106 Agreement contributions are made to cover the requirements of the 2009 Parks and Open Space Strategy for Northampton and the 2007 WNDC Planning Obligation Strategy.

The Committee discussed the application.

**RESOLVED:** That the Council does not object to the proposed development provided that the following measures are achieved/ concerns noted:

- (1) Conditions relating to noise, construction, management and decontamination are applied as laid out by NBC Public Protection (EHO) in their consultation responses.
- (2) That 10% of all dwelling units are to be constructed to NBC's mobility standard. 35% of all dwellings are to be affordable, with 70% committed for social rented housing and 30% for immediate affordable housing. NBC must be involved in negotiation of the Section 106 Agreement.
- (3) In addition to securing a robust Travel Plan including suitable public transport provision, movement corridors, 24 hour connectivity and general accessibility including vehicular access to the primary school, must be suitably addressed for improvement by planning condition for the master planning stage of the planning process. WNDC should bear in mind the lessons learned by the experience of opening St Luke's at St Crispins and seek to avoid similar problems occurring.

- (4) The open space provision overall is considered acceptable but its sub-division by type of use and future maintenance must be agreed in consultation with NBC when master planning and reaching a legal agreement.
- (5) That the retail permitted within the local centre shall be limited to a maximum of 500m<sup>2</sup> gross floor space for convenience use and a maximum of 300m<sup>2</sup> for other retailing, in order to ensure the local centre response to local needs and does harm other recognised retail centres.

**(B) N/2009/0910- DEMOLITION OF EXISTING BECTIVE WORKS & JEBEZ HOUSE & THE ERECTION OF 155NO RESIDENTIAL UNITS WITH ASSOCIATED LANDSCAPING & UNDERGROUND CAR PARK BETWEEN BECTIVE ROAD & YELVERTOFT ROAD. (APPLICATION TO REPLACE EXISTING PLANNING PERMISSION REF: WN/2006/0028, DATED 1.11.2006, IN ORDER TO EXTEND THE TIME LIMIT FOR IMPLEMENTATION)**

Councillors Collins and Woods left the room in accordance with their earlier declarations of interest.

Councillor Meredith took the Chair.

The Head of Planning submitted a report in respect of Application No N/2009/0910 and referred to the Addendum, which set out comments from the Council's Conservation Team and representations from the occupier of 47a Newington Road. The Head of Planning noted that since 1 October 2009 applicants were able to seek extensions to the life of extant planning permissions (a temporary Government initiative to assist the construction industry) and he referred to Government advice, which suggested a constructive approach should be adopted and noted that as the principle of development had already been established, consideration should be focused upon any changes in circumstances since the original permission had been granted. He referred to the report and noted that the Harborough Road in that vicinity was now a declared "air quality management area" and that the applicant would be required to make a new assessment of the traffic issues. It was noted that Enterprise House was the former Bective Shoe Company building and that Jebez House was a newer 1960's building attached to Enterprise House.

The Committee discussed the application.

**RESOLVED:** That the Council raise no objections in principle as the re-use of this previously developed site would assist in securing an efficient allocation of land. The scale and use of the site for residential accommodation is consistent with the character of the area and the proposal therefore complies with PPS1 – Delivering Sustainable Development, PPS3 – Housing and H6 of the Northampton Local Plan. However, significant concerns were raised regarding the potential impact on highway safety. In order to ensure that there would be a neutral impact on the level of

highway safety, WNDK is requested to consult the Highways Authority in order to establish whether an updated transport assessment should be carried out to take account of any changes in circumstances subsequent to the previous consideration and proposal. This approach is supported by PPG13 – Transport.

Should WNDK be minded to approve this application, it is requested that the following matters be addressed:

- The provision of 35% of the total development for affordable housing to be secured by a Section 106 Agreement. This should comprise 10% for shared ownership and intermediate tenure and 25% for social rent occupation in order for the development to better reflect the findings of the 2007 West Northamptonshire Housing Market Assessment. WNDK is also requested to investigate the possibility of locating these affordable homes in clusters of not more than twelve units.
- In order for the development to respond to the creation of the Harborough Road Air Quality Management Area, an air quality impact assessment is carried out to assess the likely impact of the proposed development. This would enable the development to comply with PPS23 – Planning and Pollution Control.
- Conditions are attached to any approval requiring investigation into contaminants, likely noise levels including those emanating from construction and light levels. This would ensure that the proposal complies with PPS23 – Planning and Pollution Control and PPG24 – Planning and Noise.
- To ensure that financial contributions are required to cover the requirements of the 2009 Parks and Open Space Strategy for Northampton and the 2007 WNDK Planning Obligation Strategy and secured by a Section 106 Agreement.

The meeting concluded at 20.50 hours

**Directorate:** Planning and Regeneration  
**Head of Planning:** Susan Bridge



The Address for Planning Appeals is  
 Mr K Pitchers, The Planning Inspectorate, Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN.

Appeal decisions can be viewed at -  
[www.planning-inspectorate.gov.uk](http://www.planning-inspectorate.gov.uk)  
 Local Government (Access to Information) Act 1985  
 Background Papers  
 The Appeal Papers for the appeals listed.

Author and Contact Officer  
 Mr Gareth Jones, Development Control Manager  
 Telephone 01604 838999  
 Planning and Regeneration  
 Cliftonville House, Bedford Road,  
 Northampton, NN4 7NR.

### List of Appeals and Determinations – 12<sup>th</sup> January 2009

#### Written Reps Procedure

Application	Del/PC	Description	Decision
<b>N/2009/0156</b> APP/V2825/A/09/2115516/NWF	DEL	Variation of condition number 5 of Planning Permission N/2002/0530 to allow use as Hot Food Takeaway at 38A Main Road.	
<b>N/2009/0197</b> APP/V2825/A/09/2106367/NWF	DEL	Change of use from Post Office (A1) to Take Away (A5) including extraction flue at Booth Ville Post Office, 3 Booth Lane North.	
<b>N/2009/0202</b> APP/V2825/A/09/2111538/WF	DEL	Proposed extension & conversion of existing garage to create new 1 bed dwelling with associated parking at Land to the rear of 115 Fairway.	
<b>N/2009/0290</b> APP/V2825/A/09/2113034/NWF	DEL	Proposed two-storey side and rear extensions and change of use to 4no. individual flats at 48 Greenfield Avenue.	
<b>NEW IN</b> <b>N/2009/0359</b> APP/V2825/A/09/2117950/NWF	DEL	Variation of condition no18 of planning permission N/2000/0404 to allow continued removal of part of existing hedge & tree at 22 St Lukes Close.	



<b>N/2009/0468</b> APP/V2825/A/09/2115868/NWF	DEL	Proposed erection of 2no. 1 bed apartments on land rear of 80 Hastings Road.	
<b>Hearing Procedure - NONE</b>			
<b>Inquiry Procedure - NONE</b>			
<b>Enforcement - NONE</b>			



**PLANNING COMMITTEE:** 12<sup>th</sup> January 2010  
**DIRECTORATE:** Planning and Regeneration  
**HEAD OF PLANNING:** Susan Bridge

**N/2009/0976**                      **Extension to accommodate additional lift at Elenore House, 3 Buttermere Close, Northampton**

**WARD:** Eastfield

**APPLICANT:** Northampton Borough Council  
**AGENT:** David Smith Associates

**REFERRED BY:** Head of Planning  
**REASON:** NBC application

**DEPARTURE:** No

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## **APPLICATION FOR DETERMINATION:**

### **1. RECOMMENDATION**

#### **1.1 APPROVAL** for the following reason:-

The proposed development would not have an undue detrimental impact on the visual or residential amenity of the area and complies with Policy E20 of the Northampton Local Plan and advice in PPS1 and PPG24.

### **2. THE PROPOSAL**

2.1 Permission is sought for the erection of a brick built 2 storey lift shaft to the front of the host building, an existing care home.

### **3. SITE DESCRIPTION**

3.1 The application site is located in a primarily residential area as identified in the Northampton Local Plan and consists of a residential care home for the elderly that obtained planning permission in 1988. The proposed extension is to be located on the front elevation of the

premises. To the north of the site is Eastfield Park. There is an existing car park in front of the home that can accommodate approximately 15 cars.

#### **4. PLANNING HISTORY**

- 4.1 The property was constructed under the grant of planning permission in 1988 (Local Planning Authority reference 88/0849).

#### **5. PLANNING POLICY**

##### **5.1 Development Plan**

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires a planning application to be determined in accordance with the Development Plan unless material planning considerations indicate otherwise. The current Development Plan comprises of the East Midlands Regional Plan, the saved policies of the Northamptonshire County Structure Plan and Northampton Local Plan 1997.

##### **5.2 National Policies:**

PPS 1 – Delivering Sustainable Development  
PPG24 - Noise

##### **5.3 East Midlands Regional Plan 2009**

Policy 2 – Promoting Better Design

##### **5.4 Northampton Borough Local Plan**

E20 – New Development

#### **6. CONSULTATIONS / REPRESENTATIONS**

- 6.1 **Public Protection (NBC)** - No objection in principle, however do have concerns with respect to noise generated by the elevator which will be located close to a small number of residential rooms which has the potential for noise impact on amenity levels. Recommend a condition that requires a noise assessment of the proposed lift.

#### **7. APPRAISAL**

##### Policy context and principal considerations

- 7.1 The main issues to consider in this case are the impact on the appearance and character of the original building / locality and impact on the living conditions of neighbouring properties and occupiers.
- 7.2 In determining the application, Policy E20 is the main relevant Local Plan policy. It states that planning permission will be granted for new development subject to the design adequately reflecting the character of its surroundings in terms of layout, siting, form, scale and use of appropriate materials and the development being designed in such a

manner which ensures adequate standards of privacy, daylight and sunlight.

- 7.3 Policy 2 of the Regional Plan and PPS1 emphasise the need for good design in all development. Paragraph 34 of PPS1 states that local planning authorities should plan positively for the achievement of high quality design for all development. PPG24 is also relevant which relates to noise nuisance from a proposed development.

#### Visual amenity and design

- 7.4 The proposed extension would be on the east facing front façade of the host building and would be visible from the front of the premises. It would be constructed on 2 storeys and of modern design with pitched roof.
- 7.5 Given that the proposed materials would match the existing building and that the proposed design would be of scale and mass in keeping with the original home it is considered that the impact on the appearance of the host premises and the wider area would be acceptable. A condition is recommended to ensure that facing material used would match the existing building to ensure the extensions harmonises with its context.

#### Impact on amenity and living conditions of neighbours

- 7.6 The proposed extension would be separated from the adjacent number 4 Buttermere Close by a distance of approximately 6 to 7 metres. This property is a single storey residential dwelling and has 2 side windows facing towards the application site, one being obscure glazed and the other clear glazed. Given the limited scale of the development proposed along with the separation and general relationship with this and other neighbouring property, it is considered that the impact on that neighbours' amenity in terms of overshadowing, overbearing effects and loss of outlook would be acceptable.
- 7.7 In terms of noise, Council environmental health officers (Public Protection) have raise no objection to the proposal subject the imposition of a condition to secure control and mitigation of any noise arising from the operation of the lift.

### **8. CONCLUSION**

- 8.1 In conclusion, it is considered that introduction of the proposed lift would improve the facilities available at his care facility whilst offering an acceptable design which would not have a satisfactory impact on the appearance and character of the host building and wider area and would not have an undue detrimental impact on the amenity of neighbours.

## 9. CONDITIONS

1) The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason- To comply with Section 91 of the Town and Country Planning Act 1990

2) The external walls and roof of the extension shall be constructed with materials of the same type, texture and colour as the external walls and roof of the existing building.

Reason- In the interests of visual amenity to ensure that the extension harmonises with the existing building in accordance with Policy E20 of the Northampton Local Plan.

3) No development shall take place until details of a scheme which specifies the sources of noise from the site whether from fixed plant or equipment or noise generated within the buildings has been submitted to and agreed in writing with the Local Planning Authority. The scheme shall specify the provisions to be made for its control and shall be implemented prior to the development coming into use and shall be maintained thereafter

Reason-In the interests of residential amenity to comply with advice in PPG24.

## 10. BACKGROUND PAPERS

10.1 None

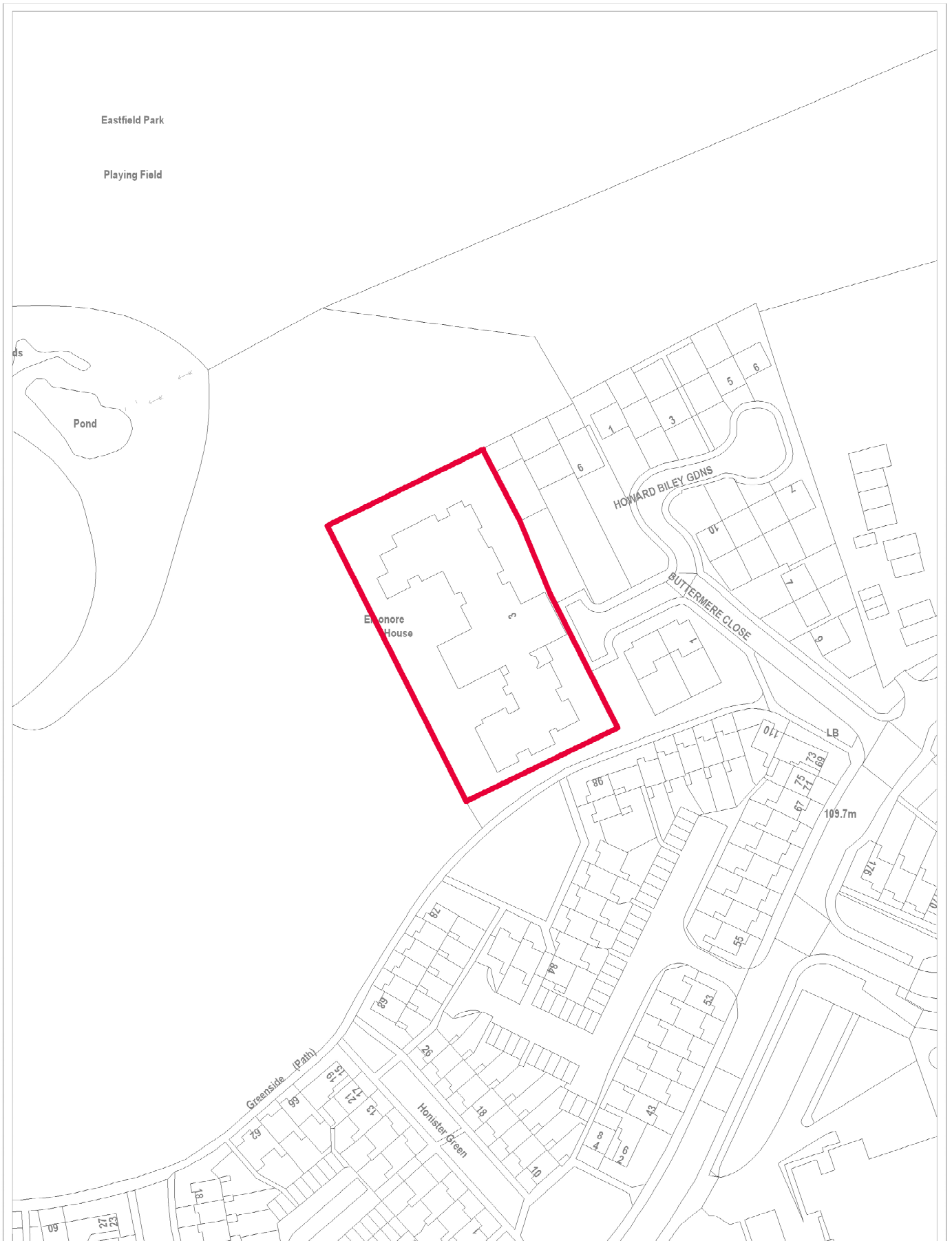
## 11. LEGAL IMPLICATIONS

11.1 None

## 12. SUMMARY AND LINKS TO CORPORATE PLAN

12.1 In reaching the attached recommendations regard has been given to securing the objectives, visions and priorities outlined in the Corporate Plan together with those of associated Frameworks and Strategies.

<b>Position:</b>	<b>Name/Signature:</b>	<b>Date:</b>
<b>Author:</b>	Jonathan Moore	22/12/09
<b>Development Control Manager Agreed:</b>	Gareth Jones	24/12/09



Name: Jon Martin  
 Date: 22nd December 2009  
 Scale: 1:1250  
 Dept: Planning  
 Project: Ctte Location Plan

Title  
**Elenore House, Buttermere Close**

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**NORTHAMPTON**  
BOROUGH COUNCIL

**PLANNING COMMITTEE:** 12<sup>th</sup> January 2010  
**DIRECTORATE:** Planning and Regeneration  
**HEAD OF PLANNING:** Susan Bridge

N/2009/1008: 32 Market Square  
N/2009/1009: 8-9 Market Square  
N/2009/1010: 1 Abington Street  
N/2009/1011: The Auctioneers PH, 11-12 Market Square  
N/2009/1012: Ladbrokes, 5-6 Market Square  
N/2009/1013: Abbey National, 1 Market Square  
N/2009/1014: Extrastaff, 7 Market Square  
N/2009/1015: Welsh House, 2 Newland Walk  
N/2009/1016: Chicago Rock, 4-5 The Parade, Market Square  
N/2009/1017: Primetime Recruitment, 18 Market Square  
N/2009/1018: 13 Market Square  
N/2009/1019: Halifax, 17 Market Square  
N/2009/1020: 19 Market Square

Installation of LED Feature Lighting Equipment

**WARD:** Castle

**APPLICANT:** Northampton Borough Council  
**AGENT:** Mr T. Felstead – WSP UK

**REFERRED BY:** Head of Planning  
**REASON:** Northampton Borough Council Application

**DEPARTURE:** No

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## APPLICATION FOR DETERMINATION:

### 1. RECOMMENDATION

1.1 **Approval in principle**, subject to the referral of the application to Government Office and subject to conditions and for the following reason:

The proposal would not unduly impact upon the fabric, character and appearance of the various Listed Buildings within Northampton's

Market Square. Furthermore, the proposal would enhance the appearance of the Listed Buildings through a greater promotion of the buildings' distinct architecture. The proposal therefore complies with PPG15 – Planning and the Historic Environment and Policies E20 and E26 of the Northampton Local Plan.

## **2. THE PROPOSAL**

- 2.1 The applicant (NBC) seeks Listed Building Consent to install LED equipment on the 13 Listed Buildings within the Market Square. The purpose of this scheme is to illuminate the upper stories of the buildings within the Market Square, in order to draw attention to and to generate interest within the architecture of the Market Square and to assist its promotion. The overall project is to illuminate all buildings in the Square. Planning permission is not required for the works and as such only listed building consent has been sought and this is required only for the buildings that are listed. It should be noted that although this is a comprehensive project 13 separate, but related, applications for listed building consent have been submitted and must all be determined on their individual merits.

## **3. SITE DESCRIPTION**

- 3.1 The sites that are the subject of these applications are all located within Northampton's Market Square. The Market Square is one of the main features of the All Saints Conservation Area and indeed Northampton as a whole. A number of buildings within the Market Square are of significant historical and architectural interest. These include the Grade II\* Listed Buildings at 32 Market Square and 18 Market Square. Number 32 was constructed in the latter part of the 17<sup>th</sup> Century from ironstone, with a Welsh slate roof. The building also features a number of other interesting features including floor bands, quoins and corning. No. 18 dates from a similar period with a stucco front and bracketed cornice. The central window is flanked by ionic pilasters. The remaining buildings that are the subject of this application are listed at Grade II.

## **4. PLANNING HISTORY**

- 4.1 None specific to the current proposals.

## **5. PLANNING POLICY**

### **5.1 Development Plan**

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires a planning application to be determined in accordance with the Development Plan unless material planning considerations indicate otherwise. The current Development Plan comprises of the East Midlands Regional Plan, the saved policies of the Northamptonshire County Structure Plan and Northampton Local Plan 1997.



5.2 **National Policies:**  
PPS1 – Delivering Sustainable Development  
PPG15 – Planning and the Historic Environment

5.3 **East Midlands Regional Plan 2009**  
Policy 2 – Promoting Better Design  
Policy 27 – Historic Environment

5.4 **Northampton Borough Local Plan**  
E20 – New Development  
E26 – Development within Conservation Areas

## **6. CONSULTATIONS / REPRESENTATIONS**

6.1 **Town Centre Manager (NBC)** – Supports the application on account of the benefits it would bring the Market Square.

6.2 **Conservation (NBC)** – No objections, but would request details of the cable runs, the actual fixings and the visual impact of the proposals. A full schedule of works is requested for each building detailing the installation process, the full specification of the removal and the method for restoration following removal.

6.3 At the time of preparing this report the consultation period was nearing completion but had not yet concluded. Therefore, any further representations will be reported to the Committee by means of the Addendum. The officer's report and recommendation is based on the material considerations known at the time of drafting the report and may be subject to review with reference to any further representations.

## **7. APPRAISAL**

7.1 As these are applications for listed building consent, the primary material consideration is the impact on the character, appearance and setting of the Listed Buildings concerned and not the wider planning issues that would be assessed when considering a planning application. As the proposal amounts to fixing lighting units and electrical wiring to special historic structures, the main considerations are whether the physical intrusion of attaching the lights and / or the alterations to the appearance of the buildings are acceptable.

7.2 The applicant states that positioning of proposed lights has been undertaken in such a way as to minimise the impacts upon the Listed Buildings. This has been achieved in a number of ways. Firstly the lights at 2 Newland Road have been placed at ground level and thus the main façade of the building would be relatively unaffected by the works. The lights at 4-5 The Parade and 18 Market Square would be partially obscured by the fascia of the building and have been positioned in a fashion to highlight these buildings ionic pilasters. The

installations at 17 Market Square have been located adjacent to the building's fascia and would highlight the Corinthian pilasters.

- 7.3 The design of the lights to be installed numbers 7 and 11-12 Market Square have been located below the eaves and would illuminate the building in a downwards fashion. The lighting at numbers 1, 5, 8, 13, 19 and 32 Market Square have been placed on elements of the building that have been altered overtime, such as through the installation of modern shopfronts. The lights at 32 Market Square will be located above the cornicing of the shop front. As a result of these proposed arrangements, the character and the setting of the Listed Buildings would not unduly be impacted upon as the lighting units would be predominantly hidden from view. Therefore the requirements of PPG15 – Planning and the Historic Environment have been complied with.
- 7.4 It is considered that the proposal lighting would improve the setting of the various Listed Buildings through the enhancement of views across the Market Square. Furthermore, it is considered that there would be a greater promotion of the distinct architecture of the Market Square at large and specific architectural features. An example to illustrate this point is that the lighting at 32 Market Square has been located in such a fashion so as to highlight the building's central bay window. Other examples include directing attention to unusual pilasters.
- 7.5 It is recognised that the installation of electricity cables could have the potential to impact upon the character of the Listed Buildings on which the lighting units are proposed to be mounted. However, it is considered that each building has a number of architectural features that could be used to 'mask' any necessary cable work. Furthermore, as discussed previously, a number of the proposed lights would be installed upon modern alterations to the building. As such there would be a minimal impact upon the fabric of the various Listed Buildings concerned.
- 7.6 It is recognised that the installation of the lighting units could impact upon the fabric of the Listed Buildings. The supporting information states that the lights would be attached to the buildings through the use of an epoxy resin, albeit that it is recognised that amendments to this procedure may be required depending on the actual condition of the individual building. Therefore, it is considered necessary and reasonable to place a condition on any approval requiring that a method statement is submitted and approved by the Local Planning Authority. This method statement must include a bespoke assessment as to how each light would be attached to the host building. It is noted that the epoxy resin would be removed through the application of a salt solution and as such it is considered that the proposal would be reasonably reversible and would not damage the fabric of the Listed Buildings.

## **8. CONCLUSION**

- 8.1 It has been demonstrated that the proposal would not unduly impact upon the character and appearance of the Listed Buildings as the proposed installation of the lighting equipment would be carried out in a sympathetic fashion. This would cause no harm to the special historic structures and maintain the character and appearance of the Listed Buildings and complies with PPG15 – Planning and the Historic Environment. The proposal would also enhance the setting of the Listed Buildings through increasing and promoting the attractiveness of the Market Square.

## **9. CONDITIONS**

1. The works hereby permitted shall be begun before the expiration of three years from the date of this consent.

Reason: To comply with Section 18 of the Planning (Listed Building and Conservation Areas) Act 1990.

2. Notwithstanding the submitted details, full details of all cable runs shall be submitted to and approved in writing by the Local Planning Authority. The works hereby permitted shall only be carried out in accordance with the approved details.

Reason: In the interests of maintaining the character and appearance of the Listed Buildings, in accordance with PPG15 – Planning and the Historic Environment.

3. Notwithstanding the submitted details, a detailed method statement for the installation of the proposed lighting including the precise method of fixing shall be submitted to and approved in writing by the Local Planning Authority. The works hereby permitted shall only be carried out in accordance with the approved details.

Reason: In the interests of maintaining the character and appearance of the Listed Buildings, in accordance with PPG15 – Planning and the Historic Environment.

## **10. BACKGROUND PAPERS**

- 10.1 None.

## **11. LEGAL IMPLICATIONS**

- 11.1 None.

## **12. SUMMARY AND LINKS TO CORPORATE PLAN**

- 12.1 In reaching the attached recommendations regard has been given to securing the objectives, visions and priorities outlined in the Corporate Plan together with those of associated Frameworks and Strategies.

<b>Position:</b>	<b>Name/Signature:</b>	<b>Date:</b>
<b>Author:</b>	Ben Clarke	23/12/09
<b>Development Control Manager Agreed:</b>	Gareth Jones	24/12/09



Name: Jon Martin  
 Date: 29th December 2009  
 Scale: 1:1250  
 Dept: Planning  
 Project: Ctte Location Plan

Title

## Market Square

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Tuesday 12<sup>th</sup> January 2010

## Addendum to Agenda Items

ITEM		Northampton Borough Council Applications	
9	A	<p><b>N/2009/0976</b> Extension to accommodate additional elevator at Elenore House, 3 Buttermere Close.</p> <p><b>N/2009/1008 – 1020</b> Installation of L E D feature lighting equipment at the following addresses on Market Square.</p> <ul style="list-style-type: none"> <li>• 32 Market Square</li> <li>• Lloyds TSB, 8-9 Market Square.</li> <li>• Phones 4 U, 1 Abington Street.</li> <li>• The Auctioneers Public House, 11 - 12 Market Square.</li> <li>• Ladbroke's, 5 - 6 Market Square.</li> <li>• Abbey National, 1 Market Square.</li> </ul>	<p>Change to recommendation. As the consultation period from the newspaper advertisement does not expire until 14 January, it is requested that if the Committee find the proposal acceptable that the decision to approve is delegated to the Head of Planning, subject to no further material considerations being raised.</p> <p>Change to recommendation: As the consultation period from the newspaper advertisement does not expire until the 14<sup>th</sup> January, it is requested that if the Committee find the proposals acceptable that the decision to approve them in principle is delegated to the Head of Planning, subject to no further material considerations being raised, in order for the applications to be referred to the Secretary of State.</p> <p>Comments have been received from English Heritage in relation to 18 Market Square and 32 Market Square. Recommend that the application is determined on the basis of specialist Conservation Advice and in accordance with National Planning Guidance.</p>
	B-N		

		<ul style="list-style-type: none"> <li>• Extrastaff, 7 Market Square.</li> <li>• Welsh House, 2 Newland Walk.</li> <li>• Chicago Rock Café, 4 - 5 The Parade.</li> <li>• Primetime Recruitment, 18 Market Square.</li> <li>• 13 Market Square.</li> <li>• Halifax, 17 Market Square.</li> <li>• 19 Market Square.</li> </ul>	
<b>Items for determination</b>			
10	B	<p><b>N/2009/0911</b></p> <p>Proposed new entrance together with alterations to create additional consulting room, new disabled parking bay and vehicular cross over at Queensview Medical Centre, Thornton Road (as amended by revised plans received on 3<sup>rd</sup> December 2009).</p>	<p>Reason for referral by Councillor Church (omitted from report) is concerns over poorer access to the surgery by disabled and able-bodied persons and the creation of a new vehicle crossover close to the entrance of a rear access road to properties in Thornton Road.</p> <p>Para 2.2 of report, reference to "community room" should state "consulting room"</p>
	C	<p><b>N/2009/0955</b></p> <p>Variation of condition 7 of planning application 94/0442 requesting 4 yearly social events until 24:00 (midnight) at</p>	<p>Representations from Cllr T. Crake commenting on the level of noise that would be generated by the proposal. Furthermore, problems have been experienced with regards to inconsiderate car parking, bad tempered drivers and aggressive behaviour by drivers. Additional comments are made regarding the duration of past social events organised at the school.</p>

	<p>Collingtree Primary School, Lodge Avenue. (as amended by revised plan received on 2<sup>nd</sup> December 2009).</p>	<p>Representations from Collingtree Parish Council – Objecting to the proposal on the grounds that the amenities of local residents would be compromised as the application site is in close proximity to a number of residential properties. In addition, concern is expressed regarding highway safety.</p> <p>A copy of correspondence sent from Mrs B. Jenks (Vice-Chairman of Milton Malsor Parish Council and President of Milton Malsor Women’s Institute) commenting on the difficulties in driving through the village and the aggression of drivers. It is recommended that a method of controlling the traffic is implemented.</p> <p>A letter of objection has been received from the residents of 37 Spinney Drive objecting to the impacts from excessive noise and commenting on activities that take place in other schools and other available facilities within Collingtree.</p> <p>Additional objection from 55 Adams Avenue stating “my original objections still stand, there is nothing new in the application and the objections have not been addressed. I do not understand the re-application”</p> <p>Consultation response from Anglian Water stating the following “There is sufficient water resource capacity to supply this development. However we would wish to see measures taken to ensure that buildings are constructed to high water efficiency standards. The foul flows from the development can be accommodated within the foul sewerage network system that at present has adequate capacity. A limited amount of surface water can be accommodated within the public surface water network system which at present has capacity”</p>
<p>D</p>	<p><b>N/2009/0968</b>  Conversion into 2no. 1 bed flats, 4no. new 1 bed flats and 2no. new 2 bed semi-detached dwellings at 54 Adams Avenue. (Resubmission of N/2007/1461).</p>	



Enforcement Matters	
11	<p><b>E/2009/567</b> Breach of Planning Control at 1 Humber Close.</p>
12	<p><b>N/2009/0179</b> Outline planning permission for residential development on land (all matters reserved other than means of access) (use class C3 - Dwelling Houses) at Former Northampton Middle School &amp; Green Oaks Lower School, Bective Road.</p>
<p><b>Applications for Consultation</b></p> <p>Change to recommendation: Additions to Paragraph 1.2 of the Committee Report.</p> <ul style="list-style-type: none"> <li>As the demolition work and clearing of the site could have an adverse impact upon nesting and roosting sites for bats and birds, WNDC are to be requested to ensure that a survey is carried out prior to the determination of the application. Enhancements to biodiversity and green infrastructure should also be considered. Long term management of green spaces should form part of any assessment.</li> <li>That WNDC take into account the contents of Paragraphs 7.16 – 7.19 of the Committee report with regards to indicative layout in order to inform the design process with any future reserved matters application.</li> </ul> <p>Representations from Cllr J. Hollis – Commenting on the background to the application and specifically the closure of the youth facility that existed on the site. The preferred outcome would be the construction of a community building as there are no other existing facilities within the area.</p> <p>Kingsthorpe is very congested and there are problems for cyclists turning into and out of Bective Road.</p> <p>The two vehicle access points would provide a rat-run from Harborough Road to</p>	

<p>Eastern Avenue North. It would be desirable if any development contributes to an extension to the Safer Routes to Schools programme. Concern is also expressed regarding the pedestrian access.</p>		
<p>Change to the recommendation: In order to provide clarity to the Council's response. The recommendation is to be changed as follows: The Council would <b>OBJECT</b> to the scheme unless WNDG secures:</p> <ul style="list-style-type: none"> <li>• A Condition or Legal Agreement preventing the store from being occupied by anyone other than a 'Limited Assortment Discounter'.</li> <li>• A condition limiting the level of comparison goods retailing to not exceeding 15% of the sales area and that the main function of the store should be for convenience retailing.</li> <li>• A condition should prevent the future sub-division of the store.</li> </ul> <p><u>Reason:</u> A convenience retail use of the type and nature proposed by the applicant, including the restriction on the amount of comparison goods to be sold, would not unduly harm the vitality and viability of Northampton's town centre whilst providing <del>completion</del><sup>for</sup> the existing district centre at Weston Favell. This type of store responds to an identified need, would have a limited impact and be of a scale appropriate to its location. The proposal therefore complies with Policy 22 of the Regional Plan and PPS4 - Planning for Sustainable Economic Growth.</p>	<p><b>N/2009/0731</b> Erection of a Class A1 food retail store and associated car parking at Storm Saab, Westonia Garage, 582 - 592 Wellingborough Road.</p>	<p>B</p>

	<p>Should WNDK be minded to approve this application, the other matters covered in Paragraph 1.4 should be secured by condition.</p> <p>This revised recommendation is to replace the contents of Paragraphs 1.1 – 1.3 of the Committee Report.</p> <p>Since the report was finalised PSS4 - Planning for Sustainable Economic Growth has been published, which replaces PPS6. The requirement for the sequential approach for site selection for retail and other town centre uses has been retained.</p> <p>Following the submission of revised plans; it is considered that the concerns previously stated regarding the design have been addressed. However, in order to preserve the visual amenity of the locality, the choice of materials is of paramount importance. It is requested that WNDK ensure that the proposed building is constructed from appropriate materials, with specific concerns regarding the elevations visible from Wellingborough Road. Given the vernacular of the surrounding area, it is requested that this be stone. This should be controlled by condition.</p> <p>Car parking has been reduced to 73 car parking spaces (not including disabled spaces). In light of this and the new guidance within PPS4 – Planning for Sustainable Economic Growth, it is recommended that no objections be raised on this point.</p>
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			<p>WNDC is requested to place an informative note on any approval notice advising the applicant that a separate application for advertisement consent would need to be made to Northampton Borough Council. Based on the information submitted, there are currently concerns with the relationships between the advertisements and the proposed building.</p>
	C	<p><b>N/2009/0744</b>  Reserved matters application including: Appearance, landscaping, layout and scale pursuant to outline consent WN/2006/0013 dated 19.04.07 - erection of 231 dwellings, roads and sewers and public open space at Phase 3 Former Timken Site, Main Road, Duston.</p>	



**NORTHAMPTON**  
BOROUGH COUNCIL

**PLANNING COMMITTEE:** 12<sup>th</sup> January 2010  
**DIRECTORATE:** Planning and Regeneration  
**HEAD OF PLANNING:** Susan Bridge

**APP: N/2009/0911**      **New entrance, alterations to create additional consulting room, new disabled parking bay and vehicular cross over at Queensview Medical Centre, Thornton Rd**

**WARD:** Kingsthorpe

**APPLICANT:** Queensview Medical Centre  
**AGENT:** Mr P Dooley

**REFERRED BY:** Referred by Cllr Church  
**REASON:** **INSERT REASON**

**DEPARTURE:** No

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**APPLICATION FOR DETERMINATION**

**1. RECOMMENDATION -**

1.1 Approval subject to conditions and for the following reason.

The siting and design of the new entrance is acceptable and will not be detrimental to visual or residential amenities in accordance with Policy E20 of the Northampton Local Plan. The new disabled parking bay will not be detrimental to highway safety in accordance with the guidelines contained within PPG13 (Planning & Transportation.)

**2. THE PROPOSAL**

- 2.1 New entrance porch situated off Thornton Road to this existing medical centre. It would be 4.2 metres wide, 3.2 metres deep with a maximum height of 4.5 metres.
- 2.2 The existing entrance would be converted to community room with new window to front elevation.
- 2.3 A parking bay for people with disabilities located by new entrance with associated vehicular crossover is also proposed.

### **3. SITE DESCRIPTION**

- 3.3 An existing surgery with associated pharmacy located off Thornton Road. Car parking is sited adjacent to the front entrance of the surgery.

### **4. PLANNING HISTORY**

- 4.4 Planning permission approved for the surgery and pharmacy in 1992 (ref 92/0582 and 92/0038).

### **5. PLANNING POLICY**

#### **5.1 Development Plan**

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires a planning application to be determined in accordance with the Development Plan unless material planning considerations indicate otherwise. The current Development Plan comprises of the East Midlands Regional Plan, the saved policies of the Northamptonshire County Structure Plan and Northampton Local Plan 1997.

#### **5.2 National Policies:**

PPS 1 – Delivering Sustainable Development  
PPG 13 (Planning and Transportation)

#### **5.3 East Midlands Regional Plan 2009**

Policy 2 – Promoting Better Design

Encourages highway access and parking that improves both safety and the quality of public space, whilst seeking design that reduces crime and the fear of crime.

#### **5.4 Northampton Borough Local Plan**

E20 – New Development

### **6. CONSULTATIONS / REPRESENTATIONS**

**NCC Highways** – no objection subject to existing fence reduced to 600mm to ensure adequate visibility for crossover.

**Access Officer** – no objections.

**Public Protection** – no objection.

**Councillor Church** – objection: concerns at the access for the surgery for both the disabled and able bodied.

**1 Thornton Rd (5 letters)** – objections:

- Will create highway safety problems if cars park in Thornton Rd.
- Disabled people will have longer to traverse if new disabled bay is occupied.

## **9 Thornton Rd – objection:**

- New crossover will create highway safety problems.
- Layout of surgery could be improved to keep entrance by the surgery car park.

## **Balmoral Chemist - objection:**

- Entrance will block light to chemist.
- Sign constructed on chemist land (*since removal in revised plan.*)
- Will result in cars parking on pavement in Thornton Road hereby creating road safety problems.
- Piping and drainage issues

## **7. APPRAISAL**

### Impact on Neighbours

- 7.1 The entrance has been designed to compliment the surgery entrance. It is considered acceptable, as it is located 1.5 metres from the window in the adjoining pharmacy and would not have any impact on the light reaching that property. The adjoining dwelling, 1 Thornton Road, is almost 10 metres away and will not be affected by this proposal.

### Highway Safety

- 7.2 The County Council highways engineer is satisfied that the proposed disabled parking bay and associated vehicular crossover will not have any effect on highway safety as long as the adjoining fence is lowered to 0.6 metres to improve visibility.
- 7.3 There is sufficient off street parking provision for the surgery not to result in significant street parking problems in the vicinity of the site. There are two existing disabled parking bays located in front of the side elevation of the pharmacy that are only approximately 20 metres away from the proposed entrance, thereby giving an alternative if the new parking bay is occupied.

## **8. CONCLUSION**

- 8.1 The design and appearance of the entrance is considered acceptable, as it would compliment the surgery building and is of a scale and siting such that it would not harm neighbour amenity. Furthermore given the visibility splat afforded the new parking bay would not have any impact on highway safety.

## **9. CONDITIONS**

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.  
Reason: To comply with Section 91 of the Town and Country Planning Act 1990.

2. Details and/or samples of all proposed external facing materials shall be submitted to and approved in writing by the Local Planning Authority, before development commences. Development shall be carried out in accordance with the approved details.

Reason: In the interests of visual amenity and to ensure that the development will harmonise with its surroundings in accordance with Policy E20 of the Northampton Local Plan.

3. The fence adjoining the new parking bay shall be reduced in height to 0.6 metre for the first two metres before the new parking bay is used.

Reason: In the interests of highway safety in accordance with the guidelines contained within PPG13 (Planning and Transportation.)

## **10. BACKGROUND PAPERS –**

- 10.1 92/0582 & 92/0038

## **11. LEGAL IMPLICATIONS**

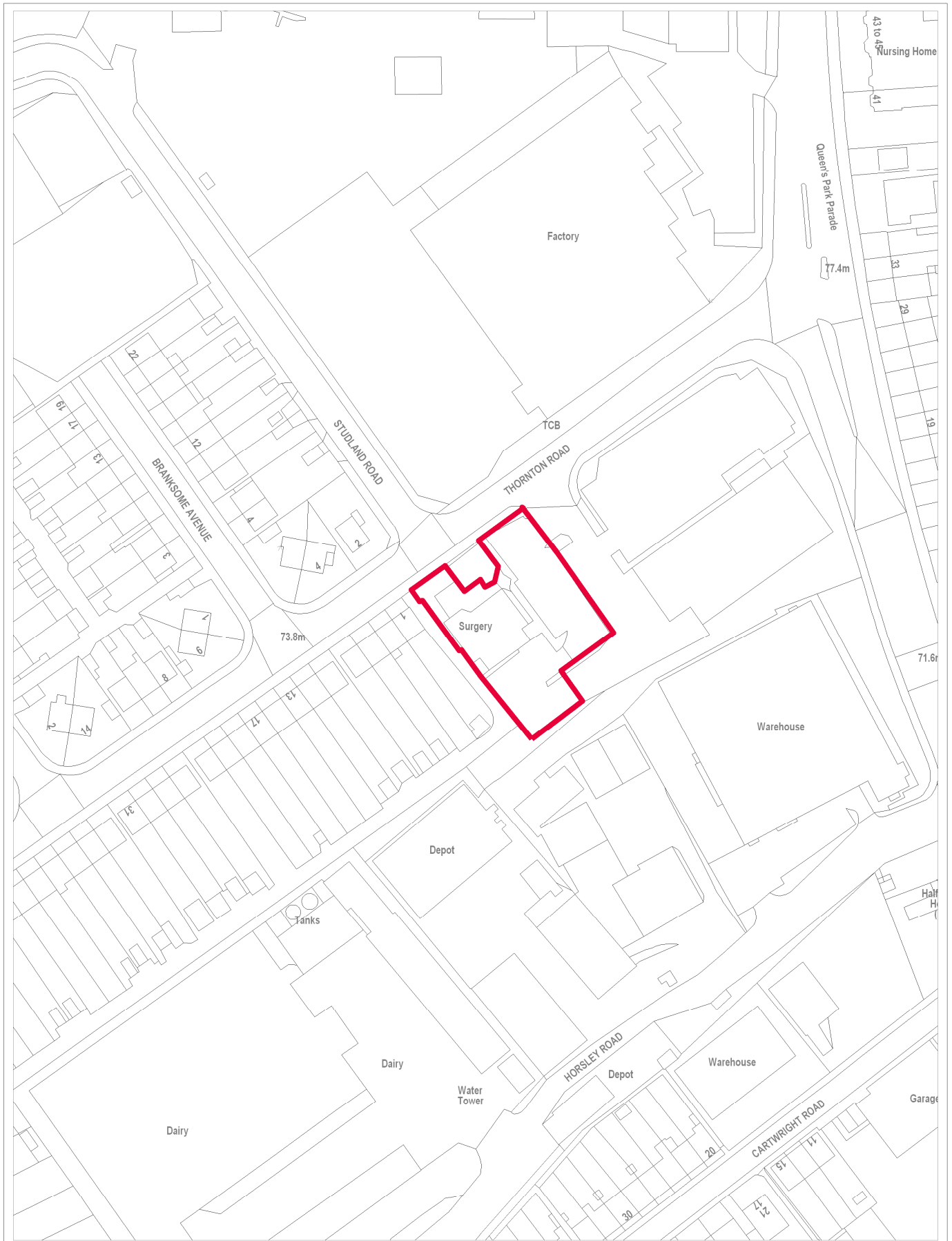
- 11.1 None.


## **12. SUMMARY AND LINKS TO CORPORATE PLAN**

- 12.1 In reaching the attached recommendations regard has been given to securing the objectives, visions and priorities outlined in the Corporate Plan together with those of associated Frameworks and Strategies.

<b>Position:</b>	<b>Name/Signature:</b>	<b>Date:</b>
<b>Author:</b>	Geoff Wyatt	23/12/09
<b>Development Control Manager Agreed:</b>	Gareth Jones	24/12/09





 <p><b>NORTHAMPTON</b> BOROUGH COUNCIL</p>	<p>Name: <b>Jon Martin</b>  Date: <b>29th December 2009</b>  Scale: <b>1:1250</b>  Dept: <b>Planning</b>  Project: <b>Ctte Location Plan</b></p>	<p>Title  <b>Queensview Medical Centre</b></p> <p>Produced from the 2009 Ordnance Survey mapping with the permission of the Controller of Her Majesty's Stationery Office. © Crown Copyright Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings. Licence number: 100019655</p>
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**NORTHAMPTON**  
BOROUGH COUNCIL

**PLANNING COMMITTEE:** 12<sup>th</sup> January 2010  
**DIRECTORATE:** Planning and Regeneration  
**HEAD OF PLANNING:** Susan Bridge

**N/2009/0955:** Variation of Condition 7 of Planning Application 94/0442 requesting four yearly social events until 24:00  
Collingtree Primary School, South Lawn, Lodge Avenue, Collingtree, Northampton

**WARD:** Nene Valley

**APPLICANT:** Mr P. Spong – Collingtree C of E Primary School

**REFERRED BY:** Cllr T. Crake  
**REASON:** Concerned regarding the level of noise and disruption residential amenity

**DEPARTURE:** No

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**APPLICATION FOR DETERMINATION:**

**1. RECOMMENDATION**

**Approval** subject to conditions and for the following reason:

By reason of the restricted level of activity, the proposal to operate four social events in any year until 24:00 is unlikely to generate a significant undue impact upon the residential amenity of the surrounding properties. The proposal therefore complies with PPG24 – Planning and Noise.

**2. THE PROPOSAL**

2.1 The applicant seeks permission to vary Condition 7 of Planning Permission 94/0442, which states:

“No evening activities shall continue beyond the hour of 2200 unless otherwise agreed in writing by the Council”.

The reason given for this condition is to secure a satisfactory level of residential amenity for those that occupy the surrounding dwellings. The applicant seeks permission to allow this condition to be varied to allow a maximum of four events to take place each year, with a finishing time of up to 2400 hours.

### **3. SITE DESCRIPTION**

- 3.1 The application site contains an annexe to Collingtree Primary School, which was permitted in 1994. The original primary school is located to the south of the application site. On account of the site's location within the Collingtree village, the predominant land use is residential, with the original village being to the south of the site. More modern dwellings are located to the north. The school is located within the Collingtree Conservation Area.

### **4. PLANNING HISTORY**

- 4.1 94/0442 – The erection of an annexe to Collingtree School – Approved

### **5. PLANNING POLICY**

#### **5.1 Development Plan**

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires a planning application to be determined in accordance with the Development Plan unless material planning considerations indicate otherwise. The current Development Plan comprises of the East Midlands Regional Plan, the saved policies of the Northamptonshire County Structure Plan and Northampton Local Plan 1997.

#### **5.2 National Policies:**

Planning Policy Statement 1 – Delivering Sustainable Development  
Planning Policy Guidance 13 – Transport  
Planning Policy Guidance 15 – Planning and the Historic Environment  
Planning Policy Guidance 24 – Planning and Noise

#### **5.3 East Midlands Regional Plan 2009**

Policy 2 – Promoting Better Design  
Encourages highway access and parking that improves both safety and the quality of public space, whilst seeking design that reduces crime and the fear of crime.

#### **5.4 Northampton Borough Local Plan**

E19 – Impact on Amenities  
E20 – New Development  
E26 – Development within Conservation Areas

#### **5.5 Supplementary Planning Guidance**

Northamptonshire County Parking Standards SPG 2003  
Planning out Crime in Northamptonshire SPG 2004

## 6. CONSULTATIONS/REPRESENTATIONS

### Internal

- 6.1 **Public Protection** (NBC) – No objections
- 6.2 **Conservation** (NBC) – No objections

### External

- 6.2 **Highways** (NCC) – No objections
- 6.3 **Collingtree Conservation Area Advisory Committee** – The school is situated in a residential area, with limited parking. A number of parents live outside the village, which could create problems when functions are held

### Councillors

- 6.4 **Cllr T. Crake** – Request that the application is determined by the Planning Committee on account of the likely noise pollution and disruption. Planning conditions are in place in order to stop late night noise, but these are not being adhered to.

### Neighbours

- 6.5 The application was advertised by site notice and 32 notification letters were posted. Letters of objection have been received from the occupiers of **1, 3, 7, 8, 10 Lake Walk, 1, 5, 7 Lodge Avenue, 1 Sargeants Lane** and **2, 4, 6, 9, 12, 35 and 39 Spinney Drive**. Comments can be summarised as:
  - The application site is in close proximity to residential properties and located within a Conservation Area.
  - Events taking place to such times would not meet the requirements of Condition 7 of Planning Permission 94/0442.
  - The amount of school traffic is of such proportions double parking, parking on pavements and obstruction of driveways takes place.
  - Parking is limited during the evening as a number of local residents park close to the school.
  - The school has increased the number of pupils, which creates congestion and disturbance.
  - As a number of school users reside outside Collingtree, disturbances would increase if this application were to be permitted.
  - Excessive noise would be generated
  - There are a number of facilities within Collingtree that could be utilised if the school requires events to take place until 2400.
  - 2200 is a reasonable finishing time

- Events have taken place at that breach the requirements of Condition 6 of Planning Permission 94/0442
- There was an undertaking when the building was first built that it would not be used for commercial gain.
- It is considered that Condition 6 of Planning Permission 94/0442 should also be varied.

6.6 At the time of preparing this report the consultation period was nearing completion but had not yet concluded. Therefore, any further representations will be reported to the Committee by means of the addendum. The officer's report and recommendation is based on the material considerations known at the time of drafting the report and may be subject to reviewed with reference to any further representations.

## **7. APPRAISAL**

### Principle of the Proposal

- 7.1 The reason for the original condition was to ensure that a satisfactory level of residential amenity could be secured for the occupiers of the surrounding residential dwellings. Therefore the assessment needs to be based upon the impact on these properties in terms of considerations such as noise or highways.
- 7.2 As no external changes are proposed, there would not be any undue impact upon the visual amenity of the locality or the character and appearance of the Collingtree Conservation Area as required by Policies E20 and E26 of the Northampton Local Plan and PPG15 – Planning and the Historic Environment.
- 7.3 It is noted that in representations received observations include comments regarding the type of event to be run within the annexe if this application were to be permitted. However, it is recognised that the applicant has not sought to vary the requirements of Condition 6 of Planning Permission 94/0442, which states that the annexe should only be used for education purposes associated with and ancillary to the operation of the school. Given that the application states that the School's Parents and Teachers Association would operate all events that would take place within the annexe, it is considered that the use would remain in compliance with this condition.

### Highways Considerations:

- 7.4 The proposal does not include provision of any additional car parking. Given the patterns of surrounding developments, it is likely that car borne visitors to any of the social events that were to take place within the annexe would resort to parking on the surrounding highways.

- 7.5 However, it is noted that the operation of social events until 22:00 has already been deemed acceptable and as part of the determination of the previous application, the impact upon highway safety would have been assessed. It is therefore considered that the demand for car parking spaces in the two hours following 22:00 is unlikely to be higher. Therefore, it is unlikely that the parking for the additional four social events per annum would adversely impact upon highway safety. As a result of this, the proposal is in compliance with the requirements of PPG13 – Transport. Furthermore, it is recognised that no objections have been received from Northamptonshire County Council Highways.

Impact on Neighbouring Properties:

- 7.6 The main reason for the condition is to ensure that there would be a satisfactory impact on the residential amenity of the surrounding properties. As the application site is located within Collingtree, notwithstanding the proximity of the M1 motorway it is likely that background noise levels are lower than in more urban residential locations. However, it is recognised that the actual annexe is some distance away from the residential properties. Therefore, it is considered that any noise and disturbance from the four later events taking place is unlikely to significantly impact upon residential amenity. In addition, no objections have been received from Council environmental health officers (Public Protection).
- 7.7 It is recognised that the actions of visitors to the annexe could create noise and disturbance through the movement of vehicles after the cessation of social events and other associated noise, such as car doors being opened and closed and general dispersal. However, it is recognised that consent is sought to run four such events in any single year. As a result of this any disturbance would be significantly limited and therefore residential amenity would not be impinged to such a degree that refusal of this application on these grounds would be unjustified, particularly bearing in mind that it is and shall remain a school. As a result of this, the proposal complies with the requirements of PPG24 – Planning and Noise.

**8. CONCLUSION**

- 8.1 It has been established that the proposal to vary Condition 7 of Planning Permission 94/0442 would not establish any significant amount of disturbance to the occupiers of neighbouring properties. Furthermore, it is recognised that the proposal would not adversely impact upon the level of highway safety. For this reason, it is recommended that the application be approved, subject to a replacement condition limiting any social events that would last until 24:00 to four in any year.

**9. CONDITIONS**

1. Unless otherwise agreed in writing by the Local Planning Authority, evening activities lasting until 24:00 shall only take place on four occasions within any year. All other evening activities shall cease at 22:00

Reason: In the interests of residential amenity and in accordance with PPG24.

## **10. BACKGROUND PAPERS**

- 10.1 Planning Application 94/0442

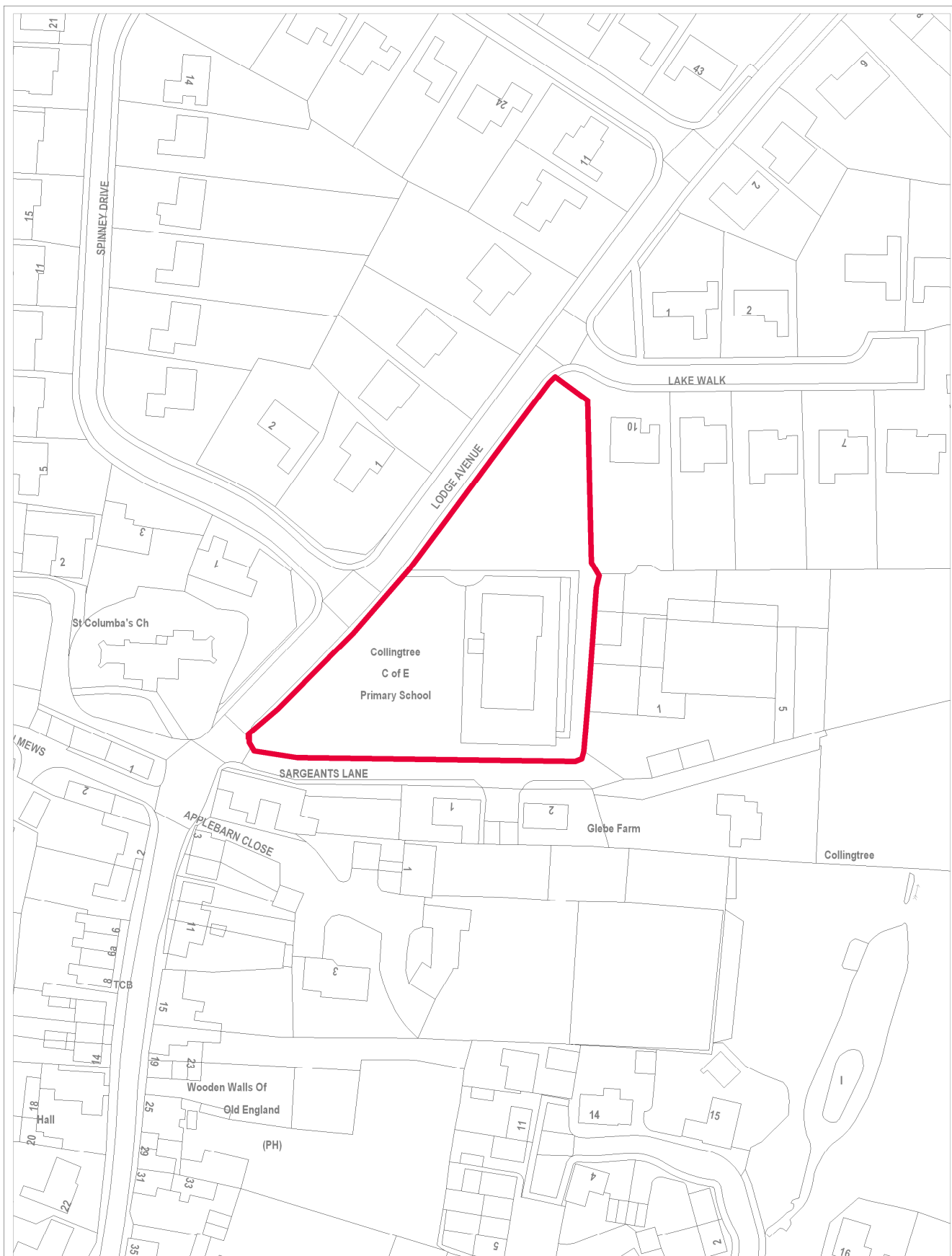
## **11. LEGAL IMPLICATIONS**

- 11.1 None

## **12. SUMMARY AND LINKS TO CORPORATE PLAN**

- 12.1 In reaching the attached recommendations regard has been given to securing the objectives, visions and priorities outlined in the Corporate Plan together with those of associated Frameworks and Strategies.

<b>Position:</b>	<b>Name/Signature:</b>	<b>Date:</b>
<b>Author:</b>	Ben Clarke	18/12/09
<b>Development Control Manager Agreed:</b>	Gareth Jones	21/12/09



Name: Jon Martin  
 Date: 22nd December 2009  
 Scale: 1:1250  
 Dept: Planning  
 Project: Ctte Location Plan

**Title**

## Collingtree Primary School

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**NORTHAMPTON**  
BOROUGH COUNCIL

**PLANNING COMMITTEE:** 12<sup>th</sup> January 2010  
**DIRECTORATE:** Planning and Regeneration  
**HEAD OF PLANNING:** Susan Bridge

**APP: N/2009/0968** Conversion into 2no. 1 bed flats, 4no. new 1 bed flats and 2no. new 2 bed semi-detached dwellings at 54 Adams Avenue, Northampton. (resubmission of N/2007/1461).

**WARD:** Abington

**APPLICANT:** Oakmead Developments Ltd  
**AGENT:** Ian Abrams

**REFERRED BY:** Head of Planning  
**REASON:** Contrary to previous committee decision

**DEPARTURE:** Yes

---

**APPLICATION FOR DETERMINATION:**

**1. RECOMMENDATION**

1.1 **APPROVAL** subject to the conditions below and for the following reason:

The proposed development would have no adverse impact on the streetscene or on the amenities of existing neighbouring residents and would provide a suitable standard of accommodation for future residents. The proposal would thereby comply with policies H6 and E20 of the Northampton Local Plan and PPS3.

**2. THE PROPOSAL**

2.1 The proposal involves the conversion of the existing property at 54 Adams Avenue, currently in use as a commercial premises, into two one bedroom flats. The external appearance of this building would also be altered by refacing the front (currently rendered) in brick and building a two storey bay window to the front.

- 2.2 The existing on-site buildings other than the two storey number 54, all of which are single storey and appear to have been added over a number of years, would be removed.
- 2.3 Adjacent to no. 54 a new block would contain four one bedroom flats. This would be built in a style to match the altered no. 54, with two storey bay windows.
- 2.4 A further two units, again in a similar style, would be constructed on Billington St. These would contain two, two bedroom semi detached houses but would be in a similar style to the flats.
- 2.5 All units would be of traditional dimensions but finished in a more modern design, featuring brickwork and timber cladding, but also sliding sash windows.
- 2.6 The density of development proposed equates to 168 units per hectare.

### **3. SITE DESCRIPTION**

- 3.1 The site is located within an area of dense terraced housing of uniform character, with some commercial uses in particular on street corners.
- 3.2 The application property is currently in use as a shop / office with associated single storey extensions and a yard area.

### **4. PLANNING HISTORY**

- 4.1 Application no. N/2007/1461 was refused by the Planning Committee on February 14<sup>th</sup> 2008 for the following reason:

*The proposed development does not provide any on-site parking. This would give rise to an increased demand for on-street parking in a locality where kerbside parking is already over-subscribed. The proposal would therefore lead to increased highway congestion detrimental to highway and pedestrian safety contrary to Policy T3 of the Northamptonshire County Structure Plan.*

- 4.2 A subsequent appeal was dismissed on December 11<sup>th</sup> 2008.

### **5. PLANNING POLICY**

#### **5.1 Development Plan**

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires a planning application to be determined in accordance with the Development Plan unless material planning considerations indicate otherwise. The current Development Plan comprises of the East Midlands Regional Plan, the saved policies of the Northamptonshire County Structure Plan and Northampton Local Plan 1997.

- 5.2 **National Policies:**
  - PPS1 – Delivering Sustainable Development
  - PPS - Housing
  - PPG13 - Transport
- 5.3 **East Midlands Regional Plan 2009**
  - Policy 2 – Promoting Better Design
- 5.4 **Northampton Borough Local Plan**
  - E20 – New Development
  - H6 - Housing Development within Primarily Residential Areas
- 5.5 **Supplementary Planning Guidance**
  - Northamptonshire County Parking Standards SPG 2003
  - Planning out Crime in Northamptonshire SPG 2004

## **6. CONSULTATIONS/REPRESENTATIONS**

### **Internal**

- 6.1 **Environmental Health** - Recommend that previous comments recommending that a contaminated land condition be attached to any permission granted be observed with respect to this application prior to the commencement of this development. In addition as the proposal includes demolition of existing buildings require a demolition and construction management plan which details sources of noise and dust from site and measures required to minimise their impact on surrounding residential and commercial uses during the development phase. The plan will be subject to approval by the Local Planning Authority and must be implemented prior to commencement of any works.

### **External**

- 6.2 **County Highways** - With regard to the reference in the Planning Supporting Statement on page 2, in respect of the draft Unilateral Undertaking submitted earlier this year, I would confirm that this has recently been agreed to in principle with the County Council Legal Services. This was submitted following the previous planning application referred to above and, the subsequent appeal. The Inspector for the appeal concluded that where any concerns for highway safety could be overcome, as referred to in the guidance contained in PPG13 – where there are ‘significant implications for highway safety that cannot be resolved by the introduction or enforcement of on-street parking controls’ – then they ‘could be overcome if the developer made an appropriate contribution towards the introduction or enforcement of suitable on-street parking controls’. The contribution sum previously offered has now been increased to £10k and also agreed to. With regard to the highway safety concerns

referred to at the appeal and the existing uncontrolled situation for parking, I would concur that these concerns could be overcome through parking controls. This would be in terms of pedestrian safety at the adjacent junction, highway safety in general and, the prevention or dissuasion of casual parking by customers to pubs and restaurants etc in the Wellingborough Road, during the evenings and weekends, when the residential need would be greatest. With reference to paragraph 5.21 in the planning statement, I would reiterate the comments given in my response for the previous application, regarding preliminary advice given, as noted in the statement for the previous application and, would ask that paragraph 5.21 be amended or removed from the statement submitted with the new application. [This comment refers to a statement attributed to County Highways that nil parking provision would be acceptable]. Further to the planning statement and drawings submitted, the cycle storage indicated should include the facility for security fixings for a minimum of 8no bicycles, and a condition included for the details of the fixings to be submitted for approval and the approved details implemented prior to first occupation of the development. A condition is also to be included for the reconstruction of the footways along the property frontages prior to first occupation of the development. It is noted that rise and fall sash windows are indicated for the second floor windows but not for the ground floor. These are therefore also to be indicated in the same way in order that no windows opening on the site frontage would overhang the highway, for reasons of pedestrian safety.

### **Councillors**

- 6.3 No comments received

### **Neighbours**

- 6.4 Objections were received from the occupiers of **51 and 53 Adams Avenue and 47 Bostock Avenue**, making the following points:
- This application has been submitted, rejected, appealed and lost its appeal previously. It was rejected on road safety grounds as there is no provision for off street parking.
  - Object on the grounds of lack of parking provision
  - If the proposal goes ahead I will lose quite a few hours of sun, which will devalue my house.

## **7. APPRAISAL**

- 7.1 This application is a resubmission of a scheme which was previously refused by the Council due to the absence of on site parking and the resultant impact on highway safety and congestion.
- 7.2 The pursuant appeal was dismissed, however the Inspector considered that the issues could be resolved by means of a suitable contribution towards a residents parking scheme or similar in the area. The appeal was, therefore, dismissed solely due to the fact that the unilateral

undertaking presented at the appeal hearing had not been properly completed.

- 7.3 The unilateral undertaking has now been revised and has been vetted by the County and Borough Councils' legal services.
- 7.4 County Highways have also been consulted on this agreement and have confirmed that the proposed contribution would be sufficient to offset any impact of the development, as parking would become available to residents rather than users of restaurants etc.
- 7.5 Within the development as proposed there is no scope to provide parking, although this would be possible within a scaled down development. However, within this area of closely packed terraces there is generally no off-street parking and the proposed development would be consistent with this pattern. The street adjacent to the site is, however, available for use by neighbouring residents, particularly in the evening when the business is closed, and this would no longer be available if occupied by residents of the proposed development. Nevertheless, the site is relatively close to the town centre, to which it is also connected by public transport and is within easy walking distance of Wellingborough Road, which is well served by local facilities. It is also relevant to note that if the proposed development did not go ahead, the commercial use of the site could be intensified without any need for planning permission, which could lead to a significant adverse impact on neighbouring residents as well as increasing highway congestion and parking demand.
- 7.6 In light of this and national policy which states that developers should not be expected to provide more parking than they would wish to provide (PPG13), it is considered that an absence of car parking is acceptable. As discussed above, the unilateral undertaking submitted with the application will provide a contribution towards sustainable transport measures within the vicinity, which is likely to take the form of a residents only parking scheme.
- 7.7 The Inspector did not raise any concerns in his appeal decision in respect of other matters relating to the development proposed, and therefore it is considered that a refusal on such grounds would be unreasonable and could not be sustained at appeal. However, for completeness the other issues relevant to this proposal are set out below.
- 7.8 The site is within an existing residential area as defined in the adopted Local Plan and, therefore, the principle of residential development is acceptable and would result in the removal of an uncontrolled commercial use which could potentially harm the amenity of neighbouring residents.
- 7.9 The proposed development would consist of blocks of a similar scale and bulk to the existing neighbouring houses on Adams Avenue, but

with a more modern external appearance, including the use of timber cladding as well as brickwork but also featuring sliding sash windows. It is considered that this design would not be out of character with the surrounding area and that this is preferable to any attempt to mimic features of the older buildings.

- 7.10 The relocated electricity substation would be screened by fencing. Given that the substation must be adjacent to the road it is considered that this represents a suitable solution, given that the existing substation would otherwise remain in place. Details of the screen are not provided and it is recommended that these are obtained by means of a condition. A further condition is proposed requiring details of the acoustic screening of the substation.
- 7.11 The two flats within the existing no. 54 would be accessed from Adams Avenue, whilst the other four flats in the adjacent new block would be accessed from a communal entrance on Billington Street, via the communal gardens. The result of this is that the occupiers of the upper floor flat within no. 54 would have no direct access to the communal garden area. Amendments to the plans were requested to provide direct access to the amenity space from the rear of the lower flat, but it is not possible to provide this for the occupants of the upper floor flat. As these two flats are a conversion of an existing building and similar arrangements have been accepted in other similar proposals, it is considered that this arrangement is acceptable. A condition is proposed requiring that access to the communal space is provided for all flats.
- 7.12 The four new build flats would be accessed via a single entrance, off the communal area. It is considered that this represents a suitable arrangement, subject to adequate security measures being in place, as requested by the Police Crime Prevention Design Adviser. Comments made by the Police also question the need for the communal area and suggest this is replaced by parking. However, it is considered that communal space is necessary. As discussed below parking could not be accommodated to adoptable standards within the development as proposed.
- 7.13 The rear of the site is surrounded by residential properties on all sides. These would not be overshadowed or overlooked by the proposed development as this follows the line of neighbouring buildings. In the case of houses on Bostock Avenue adequate separation between the side wall of the proposed houses and the rear of these neighbouring properties is proposed (11m gap). It is considered, therefore, that existing neighbouring occupiers would not be adversely affected by the proposal. In fact, given that an existing non residential use would be removed, the possibility of disturbance to neighbours would be reduced.

## **8. CONCLUSION**

- 8.1 The proposed development would have no adverse impact on the street scene or the amenities of adjoining occupiers. The concerns over parking as previously expressed have been overcome by the proposed contribution towards sustainable transport measures secured via the unilateral undertaking.

## **9. CONDITIONS**

- 1) The development hereby permitted shall be begun before the expiration of three years from the date of this permission.  
Reason: To comply with Section 91 of the Town and Country Planning Act 1990.
- 2) No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a detailed scheme of hard and soft landscaping for the site. The scheme shall include indications of all existing trees and hedgerows on the land and details of any to be retained.  
Reason: In the interests of amenity and to secure a satisfactory standard of development in accordance with Policy E20 of the Northampton Local Plan.
- 3) All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the building or the completion of the development, whichever is the sooner, and which shall be maintained for a period of five years; such maintenance to include the replacement in the current or nearest planting season whichever is the sooner or shrubs that may die are removed or become seriously damaged or diseased with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.  
Reason: In the interests of amenity and to secure a satisfactory standard of development in accordance with Policy E20 of the Northampton Local Plan.
- 4) A management plan, including management responsibilities and maintenance schedules, for all external and shared/common areas of the development shall be submitted to and approved by the Local Planning Authority prior to the occupation of the development for its permitted use. The management plan shall be carried out as approved.  
Reason: In the interests of amenity and to secure a satisfactory standard of development in accordance with Policy E20 of the Northampton Local Plan.
- 5) Details and/or samples of all proposed external facing materials shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: In the interests of visual amenity and to ensure that the development will harmonise with its surroundings in accordance with Policy E20 of the Northampton Local Plan.

- 6) Full details of the method of the treatment of the external boundaries of the site, including the proposed cladding screen to the electricity substation, shall be submitted to and approved in writing by the Local Planning Authority, implemented prior to the occupation of the building (s) hereby permitted and retained thereafter.

Reason: To ensure that the boundaries of the site are properly treated so as to secure a satisfactory standard of development in accordance with Policy E20 of the Northampton Local Plan.

- 7) Full details of a scheme for the acoustic screening of the proposed replacement substation shall be submitted to and approved in writing by the Local Planning Authority and the approved details shall be implemented prior to the occupation of the dwellings hereby permitted and retained thereafter.

Reason: In the interests of residential amenity and to secure a satisfactory standard of development in accordance with Policy E20 of the Northampton Local Plan.

- 8) The garden/amenity space approved as part of the development hereby permitted shall be available for use prior to the occupation of any flat or dwelling and shall be accessible to the occupants of all dwelling units in the scheme.

Reason: In the interest of the amenity of the future residents of the development hereby approved in accordance with Policy E20 of the Northampton Local Plan.

- 9) Notwithstanding the submitted plans, full details of facilities for the secure and covered parking of bicycles shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development hereby permitted, provided prior to the development being first brought into use and retained thereafter.

Reason: To ensure the provision of adequate facilities in accordance with Policy E20 of the Northampton Local Plan.

- 10) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no extensions or outbuildings shall be erected to the residential development hereby permitted without the prior written consent of the Local Planning Authority.

Reason - To prevent overdevelopment of the site in accordance with Policy E20 of the Northampton Local Plan.

- 11) All existing vehicle crossovers shall be reinstated to footway and full details of which shall be submitted to and approved in writing by the



Local Planning Authority and the works shall be carried out prior to the development being first brought into use.

Reason: In the interests of highway safety and in accordance with Policy E20 of the Northampton Local Plan.

12) Notwithstanding the submitted plans, full details of fenestration to the approved dwellings shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of any work on site. The development shall thereafter be constructed in full accordance with the approved details.

Reason: To prevent encroachment over the public highway, in the interests of highway safety and in accordance with Policy E20 of the Northampton Local Plan.

## **10. BACKGROUND PAPERS**

10.1 Application files N/2009/0968 and N/2007/1461.

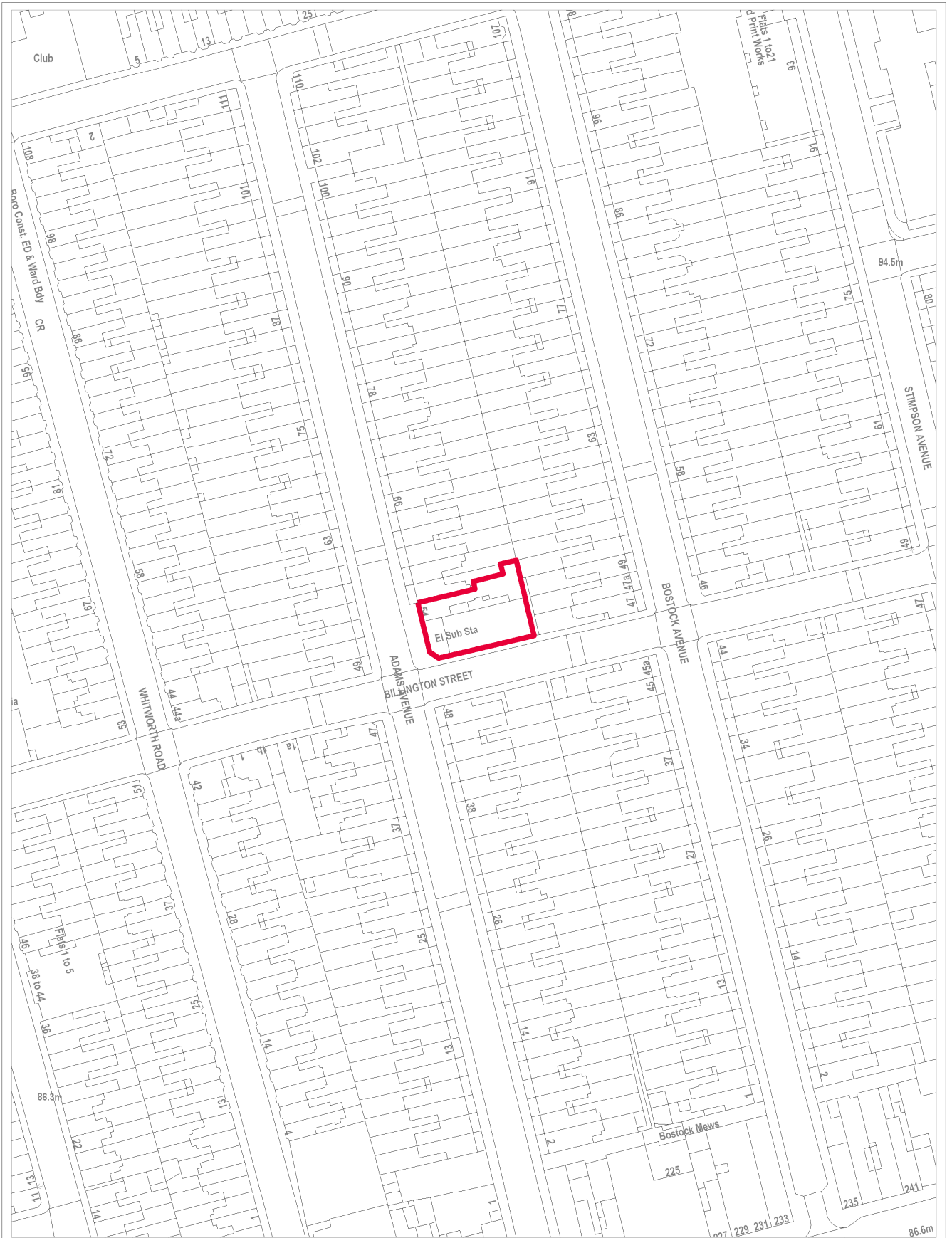
## **11. LEGAL IMPLICATIONS**

11.1 None

## **12. SUMMARY AND LINKS TO CORPORATE PLAN**

12.1 In reaching the attached recommendations regard has been given to securing the objectives, visions and priorities outlined in the Corporate Plan together with those of associated Frameworks and Strategies.

<b>Position:</b>	<b>Name/Signature:</b>	<b>Date:</b>
<b>Author:</b>	A Holden	23/12/09
<b>Development Control Manager Agreed:</b>	Gareth Jones	24/12/09



Name: Jon Martin  
 Date: 29th December 2009  
 Scale: 1:1250  
 Dept: Planning  
 Project: Ctte Location Plan

Title

## 54 Adams Avenue

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**NORTHAMPTON**  
B O R O U G H C O U N C I L

**PLANNING COMMITTEE:** 12 January 2010  
**DIRECTORATE:** Planning and Regeneration  
**HEAD OF PLANNING:** Susan Bridge

**APP: E/2009/567**                      **1 Humber Close**

**WARD:**                                      **Kings Heath**

**APPLICANT:**                              **N/A**  
**AGENT:**                                      **N/A**

**REFERRED BY:**                              **Head of Planning**  
**REASON:**                                      **Breach of planning control**

**DEPARTURE:**                              **N/A**

**ENFORCEMENT MATTER:**

**1. RECOMMENDATION**

- 1.1 That the Borough Solicitor be authorised to issue an Enforcement Notice in respect of the unauthorised change of use of 1 Humber Close from a single residential dwellinghouse to 4no self contained flats requiring the use to cease with a compliance period of four months.
- 1.2 Further, that in the event that the requirements of the Enforcement Notice are not met within the prescribed period, the Head of Planning be authorised to instigate prosecution proceedings in the Magistrate’s Court in respect of the non-compliance.

**2. THE BREACH OF PLANNING CONTROL**

- 2.1 That without planning permission a material change of use of the land and building from a single residential dwellinghouse to 4no self contained flats has taken place.

**3. SITE DESCRIPTION**

- 3.1 The application site comprises an end of terrace dwelling. The immediate vicinity comprises two short terraces, which face onto a

shared car parking area. There is a garden to the rear of the property, which can be accessed via a gateway adjacent to Medway Drive.

#### **4. PLANNING HISTORY**

- 4.1 In November 2008 the Council were in receipt of a complaint regarding the change of use of the property to self-contained residential units.
- 4.2 Following a site visit it was established that a change of use had occurred with numerous internal alterations. Following numerous correspondences the owner submitted a retrospective application for planning permission for the change of use on 16 July 2009. (N/2009/566)
- 4.3 This application was subsequently refused on 9 September 2009. To date the owner has not appealed the refusal of this planning permission. The permitted period to do so expires on 9 March 2010.
- 4.4 Following the refusal of planning permission a further site visit was conducted on 9 November 2009 and it was established that the owner had not carried out any remedial works to convert to property back to a dwellinghouse and that the breach of planning control had not ceased. The use of the site remained as 4no self contained flats.
- 4.5 A further letter was sent to the owner on 13 November 2009, which has received no response.

#### **5 PLANNING POLICY**

- 5.1 **National Policy:**  
PPS1 – Delivering Sustainable Development  
PPS 3 – Housing
- 5.2 **Local Plan Policy:**  
H6 – Other Housing Development  
E20 – New development  
H23 – Residential Amenity

#### **6 CONSULTATIONS/REPRESENTATIONS**

- 6.1 N/A

#### **7. APPRAISAL**

- 7.1 The units are effectively self-contained flats. As a result of this, Policy H23 of the Northampton Local Plan is particularly relevant for it states that planning permission should not be granted in such instances where the internal floor space is less than the 100m<sup>2</sup>. Based on the plans submitted with application N/2009/566 the area of the building is approximately 93.78m<sup>2</sup>.

- 7.2 A small communal kitchen is included within the building, however, given that each of the bedsits have been provided with independent access and kitchen facilities the likelihood of this being used by the residents is limited. The use comprises four independent dwelling units within what is in effect a single average sized residential dwelling. The scheme fails to provide access to any form of amenity space for two of the units or adequate storage facilities for refuse disposal, as such in planning terms this does represent overdevelopment of the site and therefore fails to comply with Policy H6 of the Northampton Local Plan.
- 7.3 It is considered that the unauthorised change of use of the dwellinghouse to 4no flats has resulted in a very cramped form of development and over intensive use of both the site and building which is unacceptable and contrary to national and local planning policy. The recommendation is consistent with the Council's adopted Planning Enforcement Policy in attempting to remedy the breach of planning control.

## **8. CONCLUSION**

- 8.1 The issue of an enforcement notice is the only avenue available to the Council to ensure compliance and remedy the breach of planning control.

## **9. HUMAN RIGHTS IMPLICATIONS**

- 9.1 The Human Rights Act 1998 introduces a number of rights contained in the European Convention on Human Rights. Public bodies such as the Council have to ensure that the rights contained in the Convention are complied with. However, many of the rights are not absolute and can be interfered with if sanctioned by law and the action taken must be proportionate to the intended objective. In this particular case Officers' views are that seeking to take action in respect of a perceived loss of amenity to nearby residents and occupiers is compliant with the Human Rights Act 1998 because the harm to the wider community and the current and future occupiers of the property clearly outweighs the harm (in human rights terms) to the owner.

## **10. LEGAL IMPLICATIONS:**

- 10.1 There will be a cost implication in bringing about prosecution proceedings although an application for costs can be made to the Magistrates Court at the conclusion of a successful prosecution.

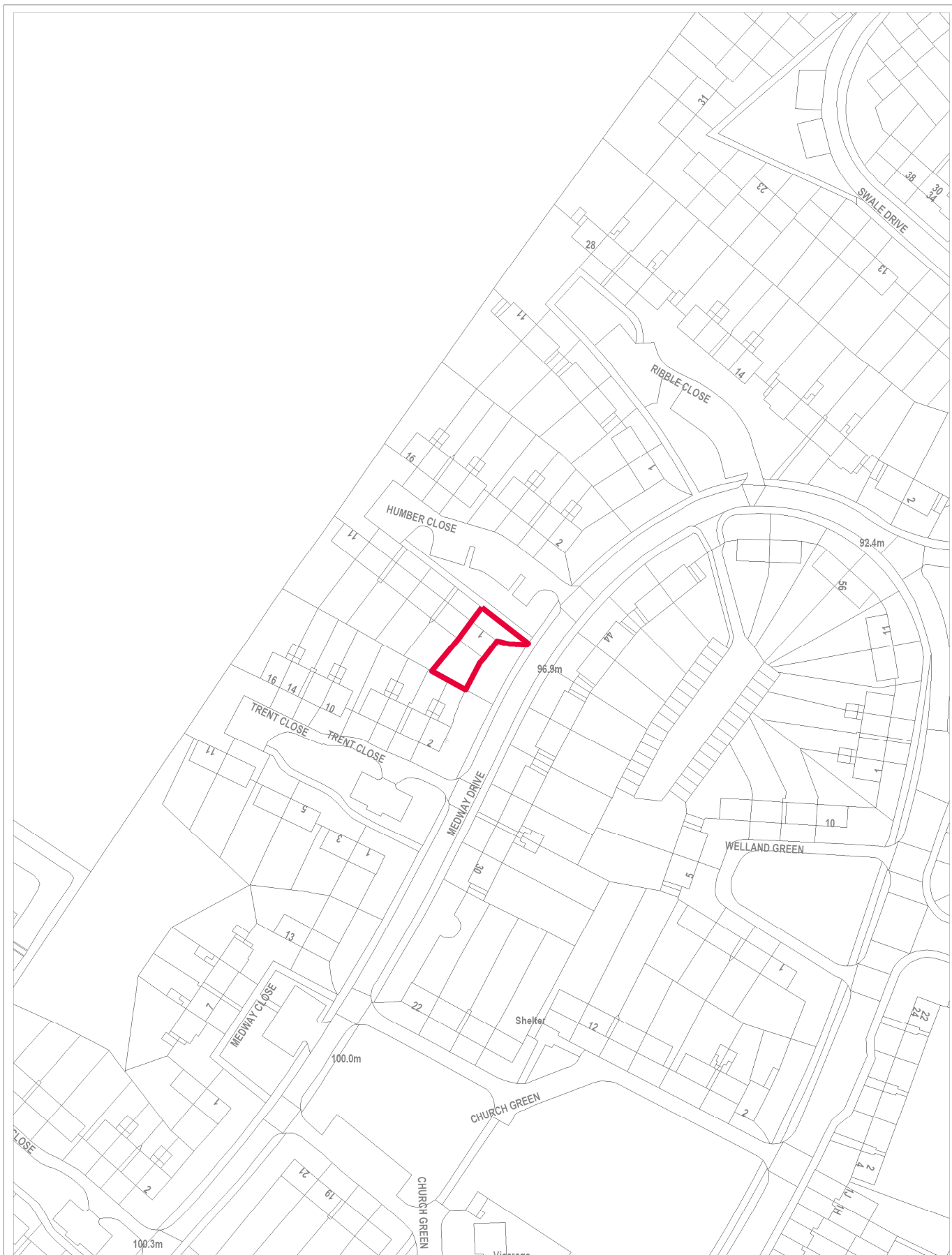
## **11. BACKGROUND PAPERS**

- 11.1 N/2009/566 and E/2008/567

## **12. SUMMARY AND LINKS TO CORPORATE PLAN**

12.1 In reaching the attached recommendations regard has been given to securing the objectives, visions and priorities outlined in the Corporate Plan together with those of associated Frameworks and Strategies.

<b>Position:</b>	<b>Name/Signature:</b>	<b>Date:</b>
<b>Author:</b>	Tamara Roberts	22 December 2009
<b>Development Control Manager:</b>	Gareth Jones	22 December 2009



Name: Jon Martin  
 Date: 29th December 2009  
 Scale: 1:1250  
 Dept: Planning  
 Project: Ctte Location Plan

Title  
**1 Humber Close**

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**PLANNING COMMITTEE:** 12<sup>th</sup> January 2010  
**DIRECTORATE:** Planning and Regeneration  
**HEAD OF PLANNING:** Susan Bridge

**N/2009/0179:** Outline planning permission of residential development on land (all matters reserved) at the former Northampton Middle School and Green Oak Lower School. (Use Class C3 – Dwelling Houses)  
Former Northampton Middle School and Green Oak Lower School, Bective Road, Northampton

**WARD:** St Davids

**APPLICANT:** Northamptonshire County Council  
**AGENT:** Atkins Ltd

**REFERRED BY:** Head of Planning  
**REASON:** Major Development

**DEPARTURE:** Yes

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## **APPLICATION FOR CONSULTATION BY WNDC:**

### **1. RECOMMENDATION**

1.1 That the Council raise no objections to the principle of the proposed development for the following reason:

The proposal would result in the efficient re-use of previously developed land and provide a residential development that would maintain the character of the surrounding area. The proposal therefore complies with PPS1 – Delivering Sustainable Development, PPS3 – Housing and Policy H7 of the Northampton Local Plan.

1.2 However, it is requested that if the WNDC is minded to approve this application, that the following matters be taken into account:



i) That amendments are sought to the layout in order to improve the visibility within the pedestrian access way as this would make this pathway more attractive and therefore enhance accessibility and safety.

ii) That 35% of all dwellings are secured for affordable housing in order to comply with the requirements of PPS3 - Housing

iii) That 10% of proposed dwellings are constructed as mobility units

iv) Securing sufficient on-site recreation facilities are provided for the future residents of the proposed development and adequate maintenance contribution that as required by Policy E19 of the Northampton Local Plan.

v) That suitable conditions are attached to any planning permission requiring the submission of an Air Quality Impact Assessment detailing the impacts of the proposed development on the Harborough Road Air Quality Management Area, which should include any necessary mitigation measures in order to ensure compliance with PPS23 – Planning and Pollution Control

vi) That suitable conditions are attached to any planning permission requiring the submission of a study of possible land contaminants and identify any remedial works as required by PPS23 – Planning and Pollution Control.

vii) That all matters arising from consultation with the Highway Authority are adequately addressed prior to determining this application. In particular, this should take into account any changes in circumstances in the intervening period since the submission of the 2005 Transport Assessment in order to ensure compliance with PPG13.

viii) Secure by means of a financial contribution an enhancement to community facilities within the locality in order to meet the likely increased demand as a result of permitting this development.

## **2. THE PROPOSAL**

2.1 This is an outline application for residential development with all matters reserved with the exception of access. The applicant seeks permission for the erection of 170 dwellings as follows:

- 8 one and two bedroom apartments contained within a two and half storey building;
- 18 one and two bedroom apartments contained with a 2.5-3 storey building;
- 4 one and two bedroom apartments located within a two storey building;
- 38 two storey semi detached houses;

- 8 semi detached houses located in buildings of 2-2.5 storey buildings;
  - 22 two storey detached dwellings; and
  - 72 terraced houses of 2.5-3 storeys.
- 2.2 In support of the application, the following have been submitted:
- A revised Planning Statement to take account of the amendments to the proposal, which were considered by NBC's Planning Committee in May 2009
  - A Transport Assessment
  - A Flood Risk Assessment and Drainage Strategy (amended November 2009)
- 2.3 This proposal was originally considered in 2006 by Northampton Borough Council (NBC reference: N/2005/1578) and was considered by the Planning Committee in May 2009 following additional amendments (NBC reference: N/2009/0179). At the meeting on 6 May the Council resolved to request that WNDP defer the application until such time that additional information is provided on a range of matters including provision of open space, community facilities, transport impact and ecological impact.

### **3. SITE DESCRIPTION**

- 3.1 The application site is a former school site identified for educational purposes in the Northampton Local Plan, which identifies the surrounding area as Predominantly Residential. The existing vehicular access to the site is provided via Bective Road and Whiston Road. In the case of the Bective Road access this is approximately 350m from the junction between Bective Road and Harborough Road.
- 3.2 The predominant land use within Bective Road and Whiston Road is for residential, with the typical housing type being terraced and semi detached houses. Of additional note, is that the Green Oaks Primary School has recently been constructed on Whiston Road.

### **4. PLANNING HISTORY**

- 4.1 N/2004/1061 – Residential development on land at former Northampton Middle School and Green Oak Lower School (outline) - Withdrawn  
 N/2004/1595 – Proposed new school with support facilities, car parking, vehicular and pedestrian access, sports facilities, area fencing and ancillary works – Approved  
 N/2004/1812 – Residential development (outline) – Refused
- 4.2 This proposal was originally considered in 2006 by Northampton Borough Council (NBC reference: N/2005/1578) and was considered by the Planning Committee in May 2009 following additional amendments (NBC reference: N/2009/0179).

## **5. PLANNING POLICY**

### **5.1 Development Plan**

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires a planning application to be determined in accordance with the Development Plan unless material planning considerations indicate otherwise. The current Development Plan comprises of the East Midlands Regional Plan, the saved policies of the Northamptonshire County Structure Plan and Northampton Local Plan 1997.

### **5.2 National Policies:**

PPS 1 – Delivering Sustainable Development  
PPS 3 – Housing  
PPS 9 – Biodiversity and Geological Conservation  
PPG 13 – Transport  
PPS 23 – Planning and Pollution Control

### **5.3 East Midlands Regional Plan 2009**

Policy 2 – Promoting Better Design

### **5.4 Northampton Borough: Local Plan & Others**

E1 – Impact on character and structure of landscape  
E19 – Implementing development  
E20 – New development  
E40 – Planning and Crime  
H7 – Residential Development

Open Space, Sports and Recreation Needs Assessment and Audit (2006)

Urban Housing Capacity Study (2003)

West Northamptonshire Housing Market Assessment (2007)

### **5.5 Supplementary Planning Guidance**

Northamptonshire County Parking Standards SPG 2003

Planning out Crime in Northamptonshire SPG 2004

## **6. CONSULTATIONS / REPRESENTATIONS**

**6.1 Public Protection (NBC)** – No further observations to those made previously.

**6.2 Housing Strategy (NBC)** – No objections, but would request that 35% of the development is made available for affordable housing with 70% of these available for social rented accommodation and 30% for shared ownership/intermediate affordable housing. The affordable housing should be arranged in clusters of 6-10 houses. 10% should be constructed to the mobility standards.

## **7. APPRAISAL**

### Principle of the Development:

- 7.1 The site is identified within the Northampton Local Plan as being school site and therefore this proposal would represent a departure from the development plan policies which were intended to protect school sites for educational purposes. Given that the school site is now surplus to the needs of Northamptonshire County Council as the Education Authority, it is considered that a departure is justified in this instance. The character of the surrounding area is predominantly residential; and as such the establishment of additional residential accommodation would ensure that the character of the area is not unduly changed.
- 7.2 As the proposal would result in the redevelopment of a currently disused site, the principle of the development is supported by PPS3 – Housing, which requires that future housing provision be directed towards previously developed land in order to improve the efficient allocation of land and sustainability.
- 7.3 The site is identified within the Borough's Northampton Urban Housing Capacity Study as being potentially suitable for being redeveloped for residential accommodation for up to 175 dwellings, which after allowing for the construction of the replacement Primary School would equate to a maximum density of 54 dwellings per hectare. The proposed 170 dwellings would equate to a density of 47 dwellings per hectare. PPS3, advocates that density should fall within 35 to 50 dwellings per hectare and although this proposal would be at the higher end of the scale this would be in character with the surrounding area and would meet the objective of ensuring the most efficient use of land.
- 7.4 Although it is recognised that the proposed density is relatively high, for the foregoing reasons, there are insufficient grounds to raise objections re density, indeed in the interests of making the best use of previously developed land there are good land use planning reasons to support the proposed development density. As a result of this, the proposal complies with the requirements of PPS3 and Policy H7 of the Local Plan with regards to density.
- 7.5 Subsequent to the previous consideration of this proposal by the Council's Planning Committee in May 2009, the indicative layout has been varied and a schedule of proposed accommodation has been submitted as discussed previously. The type of housing proposed is considered to complement the prevailing character of the surrounding area. In particular it is noted that the taller buildings are to be located towards the centre of the site, which reduces the impacts on the occupiers of existing dwellings located close to the site. In addition, the 2.5 storey building to be located adjacent to the Bective Road entrance has the potential to form a landmark feature to the development. As a result of this, it is considered that the general scale of the development

is acceptable and complies with the requirements of PPS1 and PPS3 in this regard.

- 7.6 The proposed indicative layout has been amended to include a greater provision of open space. This is considered to be a positive amendment given that the proposal has been amended since the first consideration of the scheme to remove the community centre. Furthermore, the public open space could be adapted to incorporate play equipment. Whilst it is recognised that the proposal has increased the level of open space, the final decision on whether this represents an acceptable provision would rest with the submission of a reserved matters application. This is due to the fact that it would only be at this stage that the likely population of the proposed development would be known.
- 7.7 Policy E19 of the Local Plan states that new developments should provide the required amount of infrastructure, services and amenities made necessary by development proposals. In light of the number of dwellings proposed, it is important that adequate provision for play / recreation is accommodated both on and off the site as it is likely that the existing community facilities would be subjected to increased demand. It is therefore, requested that if the WNDC is minded to approve this application, that sufficient funds are secured in order to ensure that these needs are adequately addressed.
- 7.8 In order to secure a satisfactory standard of development and to ensure that the development complies with PPS3 and meets the findings of the 2007 West Northamptonshire Housing Market Assessment, WNDC is requested to secure a provision of 35% of the total development to be affordable housing. 70% of this provision should be for social rented accommodation, whilst 30% should be utilised for shared ownership/intermediate affordable housing.
- 7.9 It is also requested that the WNDC ensure that 10% of the total development be constructed to mobility standards in order to enable the development to comply with the requirements of PPS1 – Delivering Sustainable Development with regards to accessibility.

Access:

- 7.10 As detailed previously, all matters are reserved on this application, with the exception of access. Therefore an assessment of the access points to the development needs to be fully considered at this stage. It is recognised that the two vehicular access points are limited due to the existing surrounding road network. The submitted plans show that two vehicular access points would be provided from Bective Road and Whiston Road, whilst an additional pedestrian access would be provided from Yelvertoft Road. It is considered this arrangement would be sufficient to provide the proposed development with a reasonable degree of permeability and enable the proposed development to

function as part of the wider area. Therefore, this element of the proposal can be taken to comply with the requirements of PPG13.

- 7.11 Notwithstanding this, concerns exist regarding the pedestrian access to the south east of the site. The indicative plan for the proposed development shows that the pedestrian access would be of a sinuous nature and flanked by semi-detached dwellings. It is likely that these dwellings would orientate onto the estate road. As a result of this, there are likely to be few windows, which overlook the path. In addition, the land to the rear of these dwellings would be given over to private gardens. In order to secure a satisfactory standard of residential amenity, it is likely that taller boundary treatment would be required. As a result of this, the footpath would be substantially enclosed and have a lack of surveillance. Therefore, the use of this path is likely to be limited. In order to improve this situation, WNDP is to be requested to seek amendments to the scheme in order to increased permeability and accessibility in accordance with H7 of the Northampton Local Plan and Policy 2 of the East Midlands Regional Plan.

Transport:

- 7.12 The applications for this site submitted in 2004 included a transport assessment. These assessments considered the impacts of up to 170 new dwellings, even though at the time a smaller a figure was proposed. However, given the lapse in time between the original submission and the consideration of the plans for 170 dwellings, WNDP are requested to ensure that all matters arising from consultations with the Highway Authority are addressed prior to determining this application and consider securing a revised transport assessment. This should pay particular reference to any changes in traffic patterns and the likelihood of differing amounts of congestion arising in the intervening period. This is considered necessary to meet the requirements of PP13 – Transport.

Ground Investigation:

- 7.13 Due to the large scale and nature of the proposed development, it is recommended that if minded to allow this application, it be subject to a condition requiring the submission of a study into potential contaminants and identifying any possible contaminants and remediation strategies. This is considered necessary in order to comply with the requirements of PPS23 – Planning and Pollution Control.

Air Quality:

- 7.14 Bective Road forms a junction with Harborough Road to the west of the application site. This area forms part of the Harborough Road Air Quality Management Area. Therefore, due to the potential for increased traffic to use this junction, it is recommended that WNDP secure an air quality impact assessment. The purpose of this would be

to identify the impacts that this proposal would have on the area as required by PPS23 – Planning and Pollution Control. Should the air quality assessment discover that there would be a negative impact on the area, strategies should be included to mitigate this affect.

Ecological Impact:

- 7.15 It is noted that the proposal would result in the demolition of a number of disused school buildings. This could potentially impact upon nesting and roosting sites for bats and birds in an adverse fashion. WNDC is therefore requested to ensure that survey be carried out prior to the determination of the application. Furthermore, securing enhancements to biodiversity and green infrastructure should also be considered as well as a strategy for the long term management of the green spaces. This would enable the development to comply with PPS9 – Biodiversity and Geological Conservation.

Design:

- 7.16 It is recognised that the design and layout of the development would be finalised within the determination of a reserved matters application. However, it is considered appropriate to provide an assessment of and comment on the submitted indicative layout so that these comments can be used to inform the design process for the final scheme. It is likely that on account of the layout of the surrounding dwellings a satisfactory relationship with existing neighbouring properties such that residential amenity would not be harmed in terms of light, outlook and privacy.
- 7.17 However, there are concerns regarding the internal layout and in particular relating to the relationship between the road layout and the proposed buildings and areas of open space. The indicative layout is such that that the main viewpoint when accessing the development from Whiston Road would be of the existing rear boundary treatment of to the houses along the western boundary. Such a scenario would provide a poor level of visual amenity and urban design. Furthermore, the internal western road would also have a similar outlook over the northern boundary. One of the main focal points when entering the site from Bective Road would be of the side elevation of a series of terraced houses rather than offering a visual feature which this entrance to the development demands. As a result, it is probable that there would be insufficient architectural interest at this key vista.
- 7.18 The positioning of the western internal road separates the open space from the central cluster of dwellings and therefore there would be insufficient natural surveillance to make this attractive area for recreational activity and again misses an urban design opportunity to frame the open space with the built form. Furthermore, on account of the contrived shape of this space, the flexibility and usability of this space is unnecessarily constrained.

7.19 The northern cluster of dwellings is arranged around a rather arbitrary circular road pattern. The arrangement of the houses is somewhat awkward offering little legibility of the streetscene. Other dwelling types in this cluster would be of a semi-detached type. Due to the curvature in the road, prominence would be given to an unusual arrangement of elevations, which may not be of the greatest architectural merit and provide a rather fragmented and unrelated urban form.

## **8. CONCLUSION**

8.1 The principle of the development is acceptable in terms of assisting in the efficient reallocation of land. The density is considered acceptable given the context of the site. However, it is recommended that the WNDL secure amendments to the pedestrian access in order to secure a higher standard of development. In addition, in order to ensure that the proposal does not adversely impact upon the free flow of traffic, it is recommended that a revised transport assessment is carried out.

## **9. BACKGROUND PAPERS**

9.1 N/2005/1578  
Item 12b from May 2009 Planning Committee

## **10. LEGAL IMPLICATIONS**

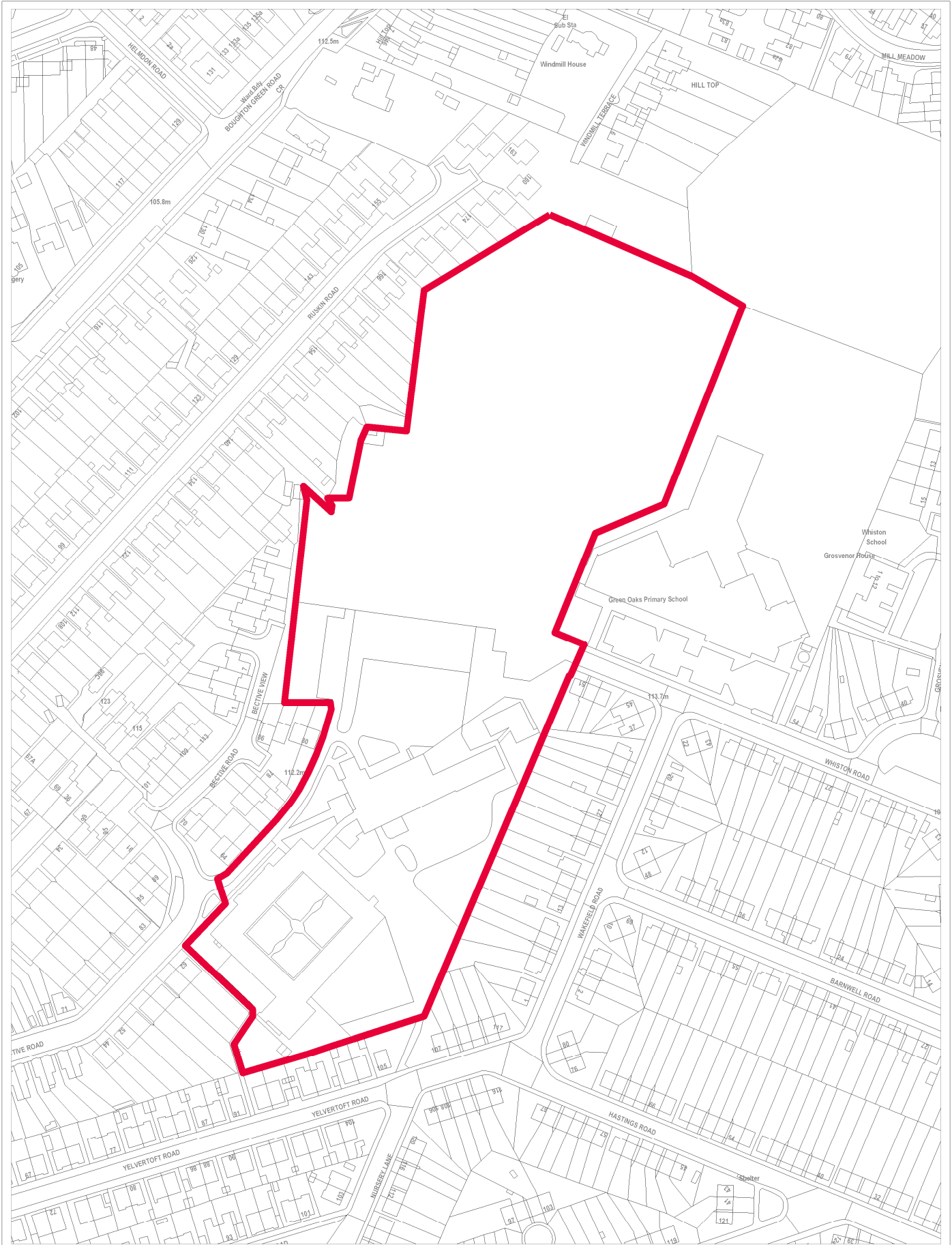
10.1 None.

## **11. SUMMARY AND LINKS TO CORPORATE PLAN**

11.1 In reaching the attached recommendations regard has been given to securing the objectives, visions and priorities outlined in the Corporate Plan together with those of associated Frameworks and Strategies

<b>Position:</b>	<b>Name/Signature:</b>	<b>Date:</b>
<b>Author:</b>	Ben Clarke	18/12/09
<b>Development Control Manager Agreed:</b>	Gareth Jones	24/12/09





Name: Jon Martin  
 Date: 23rd December 2009  
 Scale: 1:1250  
 Dept: Planning  
 Project: Ctte Location Plan

Title

## Former Green Oak Lower School

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**NORTHAMPTON**  
B O R O U G H C O U N C I L

**PLANNING COMMITTEE:** 12<sup>th</sup> January 2010  
**DIRECTORATE:** Planning and Regeneration  
**HEAD OF PLANNING:** Susan Bridge

**APP: N/2009/0731**                      **Erection of Class A1 Food Retail Store  
 1,553sq metres and 95 no Parking Spaces at  
 582 – 592 Wellingborough Road**

**WARD:**                                      **Weston**

**APPLICANT:**                              **Aldi Stores Ltd**  
**AGENT:**                                      **Dalkin Scotton Partnership Architects Ltd**

**REFERRED BY:**                              **Head of Planning**  
**REASON:**                                      **Major application**

**DEPARTURE:**                              **No**

APPLICATION FOR CONSULTATION BY WNDC:

**1. RECOMMENDATION**

1.1 That the Council raise **no objections** in principle to the proposal for the following reason:

1.2 A convenience retail use, by reason of its proposed siting and scale, would not unduly harm the vitality and viability of Northampton's Town Centre whilst providing competition for the existing district centre at Weston Favell. The proposed store responds to an identified need and is of a scale that is appropriate to its location. The proposal therefore complies with the requirements of Policy 22 Regional Plan and PPS6 – Planning for Town Centres.

1.3 However, notwithstanding the principle of the convenience retail use proposed, if WNDC are minded to approve the application is requested that the following is taken into account:

- That on account of the unacceptable design currently proposed, WNDC are requested to ensure that the discussions and recommendations put forward within the design workshop held on 16 December are used to inform and develop a more acceptable

design. *It should be noted that no further revised drawings had been received at the time of drafting the report, however, as the design workshop was found to be positive process it is anticipated that revised drawings will be received before the date of the Committee meeting. Any such revisions will be reported to the Committee via the Addendum on the evening of the Committee meeting.*

1.4 If WNDC is minded to approve this application, it is requested that controls are attached to any approval requiring:

- A condition or legal agreement to prevent the proposed store being used other than by a 'Limited Assortment Discounter';
- The level of comparison goods retailing does not exceed 15% of the sales area and that the main function of the store should be for convenience goods retailing;
- The prevention of subdivision of the store;
- A scheme is submitted to and approved by the Local Planning Authority, which will detail the sources of noise and a means of management. This scheme should include any plant or equipment as well as deliveries to the store in order to ensure compliance with PPG24.
- There are no deliveries to the premises outside the hours of 9.00am to 8.00pm Monday to Saturday and 10.00am to 4.00pm on Sundays and Bank Holidays including loading and unloading of vehicles in the interests of residential neighbour amenity in accordance with PPG24.
- Details of all lighting installations are submitted in order to ensure that proposed development is appropriately managed in line with the requirements of PPG23.
- A study into potential contaminants is carried out in response to the site's former use as required by PPG23.
- The site's car park shall not be made available to motorists outside of the store's opening hours in order to manage any anti-social behaviour in accordance with Policies E20 and E40 of the Northampton Local Plan.
- That a condition secure the provision of a pedestrian crossing within the curtilage of the proposed store to enable pedestrians to cross the site safely from Wellingborough Road to the store's entrance.

## **2. THE PROPOSAL**

- 2.1 The application, which was previously report the Planning Committee at its meeting on 17 November, is for full planning permission for the erection of a new supermarket, with a gross internal floorspace of 1,553m<sup>2</sup>, of which 1,125m<sup>2</sup> net would be retail sales area. The majority of the retail floorspace would be for the sale of food goods (i.e. convenience retailing). The remaining sales floorspace (15%) is proposed to be non-food goods / comparison retailing; owing to the trading patterns of the applicant, these goods would generally be only available for short periods of time with no particular type of comparison goods predominating.
- 2.2 The proposed store would have 95 car parking spaces (including 6 for disabled use and 5 designated parent and child spaces), which would be located to the east of the proposed store. This would be accessed via Wellingborough Road to the north. The layout of the proposed store would see the main customer entrance located to the north east of the building. The delivery point would be located towards the rear of the property, adjacent to the southern boundary.

### **3. SITE DESCRIPTION**

- 3.1 The application site is located on the periphery of Weston Favell Village and was previously occupied by a variety of businesses relating to car dealerships and repair. It forms a 0.68ha parcel of land at the western end of the former car dealership site abutting Park Way Local Centre as identified in the Local Plan. The site itself is located within a Primarily Residential Area in the Local Plan. Beyond the site, other commercial uses include a large public house to west of the site and a small convenience store/newsagents, which is located at the junction between Park Way and Church Way.
- 3.2 The main land use to the north and south of the side is residential, with those houses to the south being of a traditional vernacular. Although there is variety in the appearance of the residential dwellings that a front onto Wellingborough Road, long with the Public House adjacent to the application site, they are of a universally high quality design. These make a significant and positive contribution to defining the character of this section of Wellingborough Road.
- 3.3 The site is approximately 1km from the Weston Favell Centre, which is located to the east of the site and approximately 3km from the Town Centre to the west. Aside from the Weston Favell Centre, there are no other major supermarkets within the area. Although not forming part of the current proposals and lying outside application boundary, the applicant's Design and Access Statement indicates housing as a potential future use of the rest of the former car dealership site to the east of the application site.

### **4. PLANNING HISTORY**

- 4.1 The site was previously occupied for many years by a car dealership, however the use has ceased and the site cleared and levelled.
- 4.2 Northampton Borough Council's Planning Committee considered this proposal at the meeting on the 17<sup>th</sup> November 2009. The Committee resolved to raise strong concerns and requested that the application should not be determined until:
- The applicant has carried out a rigorous sequential investigation of District and Local Centre sites due to reservations over the proposed retail use in this location. Furthermore, the applicant should be required to provide further justification as to why Northampton Town Centre should not form part of the sequential investigation; and
  - Amendments to the design of the proposed development have been sort to improve the appearance of the proposals in their own right and to better respond to the site's context on what is a prominent and well-used route to and from the town.
- Furthermore, it was considered the car parking provision might be excessive given that the proposal is to erect a store to serve a distinct local need.

## **5. PLANNING POLICY**

### **5.1 Development Plan**

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires a planning application to be determined in accordance with the Development Plan unless material planning considerations indicate otherwise. The current Development Plan comprises of the East Midlands Regional Plan, the saved policies of the Northamptonshire County Structure Plan and Northampton Local Plan 1997.

### **5.2 National Policies:**

PPS1 - Delivering Sustainable Development  
PPG4 – Industrial, Commercial Development and Small Firms  
PPS6 – Planning for Town Centres  
PPG13 – Transport  
PPS23 – Planning and Pollution Control  
PPG24 – Planning and Noise

### **5.3 Other Relevant National Documents**

Consultation paper on a new PPS4 - Planning for Prosperous Economies

### **5.4 East Midlands Regional Plan 2009**

Policy 2 – Promoting Better Design  
Policy 22 - Regional Priorities for Town Centres & Retail Development  
Policy MKSM SRS Northamptonshire 3 - Northampton Central Area

### **5.5 Northampton Borough Local Plan**

E20 – New Development

E40 – Planning and crime and anti-social behaviour  
T11 – Commercial uses in residential areas  
T12 – Development requiring servicing

5.6 **Supplementary Planning Guidance**

Northamptonshire County Parking Standards SPG 2003

Planning Out Crime in Northamptonshire SPG 2004

5.7 **Other Relevant Local Documents**

Northampton Town Centre Retail Strategy (May 2008) prepared by CACI Ltd for NBC

West Northamptonshire Retail Study 2008 to 2026 (February 2009) prepared by CACI Ltd for West Northamptonshire Joint Planning Unit

6 **CONSULTATIONS / REPRESENTATIONS**

**Internal**

- 6.1 **NBC Public Protection** - Due to the former uses of the site some contamination remediation is likely to be required. Problems can be encountered from this type of development, particularly at busy times of the year in noise terms. There are concerns regarding the close proximity of the delivery bay to residential properties to the rear and the time used to carry out deliveries. Amenities can be impacted upon through the misuse of the car park outside of store opening hours. The site is adjacent to a busy road and may result in significant traffic generation. It is therefore recommended that an assessment of the impact of the development on air quality in the vicinity and the impact of air quality on the possible new residential development adjacent to the site should be assessed. Details of lighting should be submitted.

**Councillors**

- 6.3 None received.

**Other**

- 6.4 Representatives of **Legal and General**, as owners of the Grosvenor Centre have provided copies of representations made to WNDC. Objections are raised on the grounds that the introduction of this new retail unit would harm the vitality and viability of Northampton's Town Centre. By reasons of its location, it would be an out of centre development. It is considered that there is a far greater need for a foodstore within the Town Centre. By reason of the scale and function of the Local Centre, the development would be better suited within a larger centre. A thorough assessment of alternative sites should be undertaken, and by developing this site it would lead to cumulative decline in the viability of the Town Centre. Furthermore, there would be an adverse impact upon the highway system.

- 6.5 Objections have also been received from **Lidl**, who operate a store at the Weston Favell Centre. The development fails to comply with PPS6 as a need has not been demonstrated for the store. Due to the proximity of the application site to the Weston Favell Centre, there is already a provision of discount retailing within the area and the proposed store would not significantly reduce the need or duration of journeys.

## 7 APPRAISAL

### Principle of the Development

- 7.1 The application site lies in an out of centre location. With reference to Development Plan Policies (particularly Policy 22 of the Regional Spatial Strategy) and the guidance contained in PPS6, new retail development should normally be directed to existing centres. Para 3.4 of PPS6 states that in respect of retail uses and other town centre uses “local planning authorities should require applicants to demonstrate”:
- i. The need for the development,
  - ii. That the development is of an appropriate scale,
  - iii. That there are no more central sites for the development,
  - iv. That there are no unacceptable impacts on existing centres, and
  - v. That locations are accessible.
- 7.2 Para 3.23 of PPS6 adds *The level of detail and type of evidence and analysis required should be proportionate to the scale and nature of the proposal and that impact assessments ... should be provided for all retail and leisure developments over 2,500 square metres gross floorspace, but they may occasionally be necessary for smaller developments, such as those likely to have a significant impact on smaller centres, depending on the relative size and nature of the development in relation to the centre.*
- 7.3 The Northampton Town Centre Retail Strategy (May 2008) (NTCRS) concludes *that the town centre is currently in poor retail health, and urgently needs to improve its offering to avoid further decline and identifies an outstanding opportunity to develop the retail economy of Northampton, through improving the retail mix towards a ‘quality’-led offer that will match the consumer needs of the more affluent residents, workers and visitors.*
- 7.4 The West Northamptonshire Retail Study (February 2009) (WNRS) covers the network of town centres / retail network hierarchy of West Northamptonshire. It identifies that *the weak town centre network has been embattled by, and indeed contributed to, a number of successful out-of-town retail locations situated around the urban area of Northampton. In addition to retail parks providing a significant range of comparison goods that compete directly with town centres, the network also faces competition from large format out-of-town supermarkets.* It

adds that in Northampton *there is capacity in the town centre for a new large supermarket store*. The Study recommends that *local planning authorities work on identifying sites for retail development through the sequential test and impact tests to help implement the “town centres first” strategy by simply following and adhering to government policy on the matter*. It recommends that *development control generally take a flexible approach to individual applications, and not to be too restrictive, unless the applications are clearly not in the interests of the strategy*, but adds in the case of Northampton town centre that *out-of-town development would be damaging to the governments objectives and a zero-tolerance to major out-of-town retail development is recommended for the Joint Core Strategy*.

### **Convenience Retail Need**

- 7.5 As the site lies outside an acknowledged centre and is not allocated for retail development in the Development Plan the applicant is required to demonstrate need for the proposed retail floorspace. The WNRS includes an assessment of convenience floorspace capacity for 2008, 2011, 2016, 2021 and 2026. The Study breaks these figures down into seven zones within Northampton, with the application site being located within Zone 1e along with the Weston Favell District Centre. These figures are summarised in the table below.

Year	2008	2011	2016	2021	2026
Convenience retail floorspace capacity (sq m net) in Zone 1e	6,291	919	626	815	1,000

- 7.6 The WNRS identifies that current balances of trade are unsatisfactory, and therefore the 2008 capacity analysis should not be used as a basis for assessing quantitative need across the planning period; it has instead run capacity assessment scenarios for 2011, 2016, 2021 and 2026 based on future preferred balance of trade scenarios. The impact of the new balance of trade is to drastically reduce the assessment capacity for additional floorspace in Zone 1e from over 6,000m<sup>2</sup> in 2008 to a little over 600m<sup>2</sup> by 2016. This approach is intended to address current trading imbalances that exist throughout Northampton to give greater primacy to the town centre to ensure new development in convenience floorspace benefits the vitality of the primary retail area.
- 7.7 The proposed net retail floorspace is 1,125m<sup>2</sup> of which some 85% is proposed to be convenience, which equates to 956.3m<sup>2</sup>. As such the proposed floorspace exceeds the capacity figures of 919m<sup>2</sup> for 2011, 626m<sup>2</sup> for 2016 and 815m<sup>2</sup> for 2021 identified in the WNRS, albeit to a relatively small degree.



- 7.8 In response to the requirements of PPS6 the applicant has submitted a Retail Assessment in support of the application. In respect of need, the Assessment contends that in quantitative terms, the proposal is justified on the grounds that Aldi's average sales density (i.e. floorspace productivity) is significantly lower than the average sales density applied in the WNRS for Northampton. Using its own sales density figure of £4,203m<sup>2</sup>, rather than the WNRS figure of £7,500m<sup>2</sup>, the applicant concludes "there would be more than sufficient floorspace headroom (capacity) to support the proposed Aldi store". Applying Aldi's own sales density figure to the 2016 figures in the WNRS gives a capacity of 5,293m<sup>2</sup>. This figure seems excessively high and cannot be said to be reflective of average convenience supermarket retailers, however it does help to illustrate the applicant's contention that its trading model differs from other retailers. Although demonstrable qualitative need is less apparent than quantitative need given the site's proximity to the comparable retail offer current available at the Weston Favell Centre Lidl store, on balance the quantitative need for a store is accepted.
- 7.9 In respect of need although the proposed retail floorspace exceeds future need capacity predicted in the WNRS, given the character of applicant's retail offer combined with the fact that that the proposed floorspace exceeds the future need capacity predicted in the WNRS for the years 2011-26 by a range of only 125 to 499 sq metres, it is not considered that the proposed additional retail floorspace would cause harm to the viability and vitality of an existing recognised centre such as Northampton town centre or Weston Favell district centre. It is however also necessary to consider the potential impact a store of this size and in this location would have if it were to be occupied by a more mainstream retailer. It is considered that as the WNRS has identified that there is capacity in this area for additional convenience retailing, that the store could be accommodated within the parameters of the study and in accordance with the need criteria of PPS6.

#### **Scale and Location**

- 7.10 The site is located outside but adjacent to the Parkway Local Centre. Paragraph 2.24 of PPS6 advises that *given their characteristics, local centres will generally be inappropriate locations for large-scale new development, even when a flexible approach is adopted*. The existing Local Centre is relatively small comprising The Trumpet pub, a newsagents and a hairdressers. The site is previously developed land and has a history of use for commercial purposes.
- 7.11 The WNRS concludes that current trading patterns in Northampton are too heavily biased to Weston Favell district centre at the expense of the town centre and recommends that the identified capacity is not translated into a need to expand Weston Favell district centre.
- 7.12 The applicant has submitted information which indicates that 90% of

the proposed store's projected turnover would emanate from the store's projected catchment area (a 10 minute drive) and would respond to local need as there is a limited representation of discount food retailers within the likely catchment area of the store, with the only other example being the Lidl store within the Weston Favell Centre. It is also contended that this proposal would reduce the number of journeys to the Weston Favell Centre and provide additional competition. In addition, the applicant puts forward the view that existing and future residents are unlikely to make longer journeys into the town centre if convenience goods are made available in the locality, as the Weston Favell Centre fulfils current demand.

- 7.13 Concerns have previously been expressed regarding the quality of the sequential assessment of alternative sites undertaken and submitted by the applicant. As requested by the Planning Committee a more detailed assessment has been submitted. This assessment of alternative sites excludes the town centre from the centres to test. The applicant's justification for this is that the town centre is not within the 'primary catchment area' for the proposed store, which they identify as being the area that is within some 10 minutes' drive to the north east of the site and a 5 minute drive to other orientations. They add that *PPS6 advice is clear that the catchment area adopted should be realistic and well related to the size and function of the proposed development and take into account competing centres. In this case there is an existing Aldi store close to the town centre at Harlestone Road which serves the central and western part of Northampton where Weston Favell is the dominant centre, hence the reason for focussing the search for sequentially preferable sites there.* The applicant maintains that the existing and proposed Aldi stores would have two distinct catchment populations. Officers feel that the decision to exclude the town centre from the centres to test is a marginal but on balance one that is accepted.
- 7.14 The applicant's agent has identified 25 district and local centres within its 'primary catchment area' and visited each of these and *formed a view on whether or not there are sites potentially available within them to accommodate an Aldi store with a reasonable level of customer parking.* The added that they have *considered each of those centres having regard to the PPS6 requirement for alternative sites to be suitable, available and viable.* They found that of the 25 centres only four physically large enough to accommodate the store. These Centre are the Wellingborough Road, Birchfield Road/Beech Avenue, Brook Road (Ecton Brook) and the Weston Favell as identified in the Local Plan.
- 7.15 In terms of the Wellingborough Road, it is argued that there are no available sites of sufficient size to include a store of the size proposed and sufficient car parking. A similar situation exists within the Birchfield Road/Beech Avenue locality. Brook Road is also not considered suitable on account of the centre being located some distance away

from the main road network. In addition, the centre serves a small and distinct area, which is insufficient to support a store of the size proposed.

- 7.16 In terms of the Weston Favell Centre, the only potential site would be within the recently developed Octagon Way. These units, on an individual basis, are too small to support the needs of the applicant. Therefore, if this were to proceed it would require the comprehensive redevelopment of the site. Furthermore, the site is controlled by one of the applicant's main competitors. Given these two factors, it is unlikely that the site would be becoming available in the foreseeable future for such a development as proposed.
- 7.17 The applicant has also submitted that it has considered other sites, including Octagon Way, adjacent to the Weston Favell Centre. This site has been discounted on the grounds that the unit size is too small to meet the needs of the applicant; furthermore, the centre is already well served by convenience retailing.
- 7.18 Although the sequential test submitted remains a little limited on content, on balance it is now considered to be satisfactory. The contention that the site would respond to local needs seems reasonable bearing in mind the large residential areas to the north and south of Wellingborough Road in the vicinity of the site combined with proximity of the existing local centre, albeit that it would represent a significant addition to the existing offer provided by the local centre and that it remains likely that some customers would be attracted to the store from further afield.
- 7.19 It is considered that on the basis that the Weston Favell District Centre is over-dominant, the proposed use would respond to a local market in a location adjacent to a local centre which is relatively well served by public transport, it is also considered that the scale (albeit that it is a little large) and location of the development are acceptable on the basis that the use would serve a local population and offer some (albeit limited) opportunity for linked trips to the centre. In order to limit the attraction of the use to a wider non-localised market it is also recommended that on-site car parking be controlled and use of alternative modes of accessing the site promoted. Parking, access and highways matters are considered later in the report.
- 7.20 The proposed store is of a size, where it could potentially be subdivided into smaller units. This could potentially have a greater impact upon the viability and vitality of the centre in which the proposal is adjacent to, as well as other centres in Northampton. Therefore, any approval should be subject to a condition requiring the consent by the Local Planning Authority for any such subdivision to ensure that these differing impacts are fully considered.
- 7.21 While considered in the round officers are satisfied that this particular

scheme meets the provisions of the sequential test, but wish to emphasise that any future development proposals comprehensively revisit all relevant centres, in circumstances where the availability of sites and premises changes on a regular basis.

### ***Comparison Retailing***

- 7.22 For the foregoing reasons the proposal is considered acceptable as a destination for convenience shopping. However, as expressed in the both the NTCRS and the WNRS there are very strong concerns regarding the impact of new out-of-town comparison retail floorspace on the vitality and viability of Northampton town centre. The applicant has indicated that 15% of the proposed floorspace would be given over to comparison goods. Given the location of the proposed development and the scale of retailing, it is considered that this provision is acceptable. However, conditions should be attached to any permission requiring that the level of comparison goods retailing should not exceed this figure in order to maintain the viability and vitality of other centres.
- 7.23 In addition, it is considered that the acceptability of this element of the proposal rests upon the trading model employed by the applicant. As a result of this, it is considered necessary and reasonable that a condition be applied to any permission limiting the future occupation to a 'limited assortment discounter'.
- 7.24 Conditions covering the type of retailer and the amount of comparison goods retailing are considered necessary, as the principle of the store has been assessed with the likely occupier in mind. On account of differing trading patterns within the retail sector, a different occupier may well have contrasting impacts on the surrounding area. Therefore, such conditions would ensure effective planning control of the site.

### **Highways Considerations**

- 7.24 The proposal would be located on Wellingborough Road, which serves as one of the main routes into Northampton's Town Centre and the Weston Favell Centre. Given the nature of the use is likely that it would lead an increase in traffic to the site, albeit that the previous commercial use of the site would have generated significant vehicle movements. It is noted that the Highways Agency has not raised any objections to the proposal and therefore it is considered that the proposal would not have any significant impact upon the wider, strategic road network.
- 7.25 PPG13 states that for food retailing outlets, a maximum provision of one parking space for each 14m<sup>2</sup> of gross floorspace should be provided. This therefore means that the proposed 89 car parking spaces (exclusive of disable parking spaces in line with PPG13) complies with the broad requirements of this national policy as the provision does not exceed the maximum threshold.

- 7.26 However, one of the reasons for the principle of this store being acceptable rests upon it serving a specific local community. Therefore, concerns are expressed that the proposal does not seek a lower provision of car parking that could serve as a stimulus for encouraging more sustainable means of travel. To this end it is recommended that WNDC seek to secure a reduction on the amount of car parking (exclusive of disable parking) in line with the current County Council parking guidance.
- 7.27 The location of the site is in close proximity to the residential areas of Weston Favell and the Headlands/Cottarville. It is noted that the proposal contains the provision of cycle storage in line with the requirements of PPG13. The site is also in close proximity to a number of bus stops, with the closest bus stop for buses travelling in a westerly direction being approximately 40m away from the application site. In terms of bus stops for buses travelling in an easterly direction, the nearest bus stop is within 55m of the site, although this would necessitate crossing Wellingborough Road and therefore it is likely that customers would elect to use the pedestrian crossing adjacent to The Trumpet public house. This would entail a walk of approximately 135m from the application site. As a result, it is considered that the proposal is located within a relatively sustainable location and offer potential to reduce the dominance of private cars as means for undertaking journeys. It is recognised that car parking in Wellingborough Road and on the approaches to Weston Favell Village may not be desirable in highway safety terms if too little car parking is provided. Therefore, it is recommended that WNDC obtain from the applicant an assessment as to the rationale behind the proposed car parking provision and seek amendments if necessary and to adopt measures to encourage use of alternative modes of transport, including a green travel plan.
- 7.28 In response to this, the applicant has stated that the provision of car parking is below the maximum figure prescribed in PPG13 – Transport. However, as discussed previously, this store is intended to function as a part of a local centre and therefore opportunities to provide a lower provision should be investigated.

### **Design**

- 7.29 As discussed previously in Section 3, those existing buildings that front onto Wellingborough Road are of a high quality design. By reason of the significant proportions of the proposed building, combined with a number of relatively featureless elevations, the proposal would represent an incongruous addition to the streetscene in design terms. Although it is recognised that the proposed retail unit would be set back from the established building line, the area to the front of the site would be used for car parking and therefore the northern and eastern elevations in particular would be overly prominent within the streetscene.

- 7.30 In addition to this, the limited landscaping scheme proposed would not provide a suitable setting for the proposed building and therefore the incongruous nature of its design would be emphasised to a greater degree. This is therefore contrary to Policy E20 of the Northampton Local Plan and Policy 2 of the Regional Plan, which requires that new development proposals should have an acceptable design. In addition, PPS1 states that proposals should have designs, which reflect the character and context of their location.
- 7.31 In order to address these concerns, members, along with officers from NBC and WNDP held a design workshop with the developer on the 16<sup>th</sup> December. Within this meeting, it was established that the prime areas of concern were the northern and eastern elevations, which would have the greatest degree of prominence within the streetscene. Alternative treatments for these elevations were discussed with a general consensus that these should reflect the colours and textures used elsewhere within the locality. Additional amendments discussed were to increase the level of fenestration to the entrance section in order to improve the legibility of the building. Increasing the level of detailing on the northern elevation was also considered necessary in order to reduce the impact on visual amenity.
- 7.32 Concerns were raised regarding the design of the roof and in particular its shape. Although it was recognised that the design had been influenced by an aim to reduce the massing of the building close to the site with residential properties to the south, it was considered that due to the differences in site levels, views from Wellingborough Road would be such that the roof form as proposed would be particularly prominent. Therefore, it was requested that the applicant investigate alternatives in order to provide a more visually acceptable roofscape, whilst recognising the potential impacts of the surrounding residents
- 7.33 Although the design workshop was found to be a positive process no revised drawings had been submitted at the time of drafting the report. Nonetheless, it is anticipated that revised drawings will be received revising the design and potentially revising the car parking area and incorporating the requisite pedestrian crossing before the date of the Committee meeting. Any such revisions will be reported to the Committee via the Addendum on the evening of the Committee meeting.

#### **Impact on neighbouring properties**

- 7.34 Policy E20 of the Northampton Local Plan requires that new developments have a neutral impact on the levels of light, outlook and privacy available to the occupiers of neighbouring properties. By reason of the scale of the proposed building, it is unlikely that there would be a significant detrimental impact upon the amenities of surrounding properties as a result of these considerations.

- 7.35 There may be the possibility of noise from deliveries having a detrimental impact upon the occupiers of residential properties. However, it is noted that from the application that it is likely that, owing to the applicant's business model, deliveries are centralised. NBC Public Protection have been consulted and no potential impacts on residential amenity are foreseen as a result of deliveries taking place between the hours of 8:00 to 20:00 on Mondays to Saturdays and 10:00 to 16:00 on Sundays and Public Holidays. As a result of this, it is unlikely that there would be sustained periods of noise to the detriment of residential amenity. In addition, there is likely to be a necessity for certain types of equipment to be installed at the premises, that have the potential to generate noise which could, if unregulated have an adverse impact upon residential amenity.
- 7.36 It is recommended that if WNDP is minded to approve this application, it be subject to a condition, which would require a scheme to be submitted that would agree the likely sources of noise and the means for their control. Such an approach would ensure that the development complies with the requirements of PPG24 – Planning and Noise.
- 7.37 The design of the proposed store could be amended to relocate the delivery area to the front of the site to completely alleviate this issue. However, the increased prominence of the delivering bay would create an incongruous feature within the streetscene.
- 7.38 It is noted that concerns have been raised regarding the car park being used for anti-social activities outside of store opening hours. However, the Design and Access Statement states that barriers would be installed to prevent this activity from taking place. Therefore, it is requested that if WNDP are minded to approve this application, it be subjected to a condition, which would require that these barriers are installed prior to the store being brought into use and are in use during periods where the store is closed to members of the public. Such a condition would also ensure that the proposal complies with Policy E40 of the Northampton Local Plan.

## **8. CONCLUSION**

- 8.1 It is considered that the provision of a modest supermarket within this location would predominantly address an identified local need and would not unduly impact upon the vitality and viability of other centres within Northampton. There are concerns regarding the level of car parking as these are likely to promote modal shift / encourage more sustainable transport and regarding the design of the building. These concerns along with the concerns regarding the design of the building may also be addressed through the submission of revised drawings which are anticipated to be submitted prior to the Committee meeting. In order to maintain the existing hierarchy of centres, conditions should be attached to any approval controlling the proportion of comparison retailing, future occupiers and the subdivision of the store.

8.2 Subject to appropriate conditions, it is considered that the proposed development would not unduly impact upon the amenities of the occupiers of neighbouring properties.

## **9. BACKGROUND PAPERS**

9.1 Item 12a from 17<sup>th</sup> November 2009 Planning Committee.

## **10. LEGAL IMPLICATIONS**

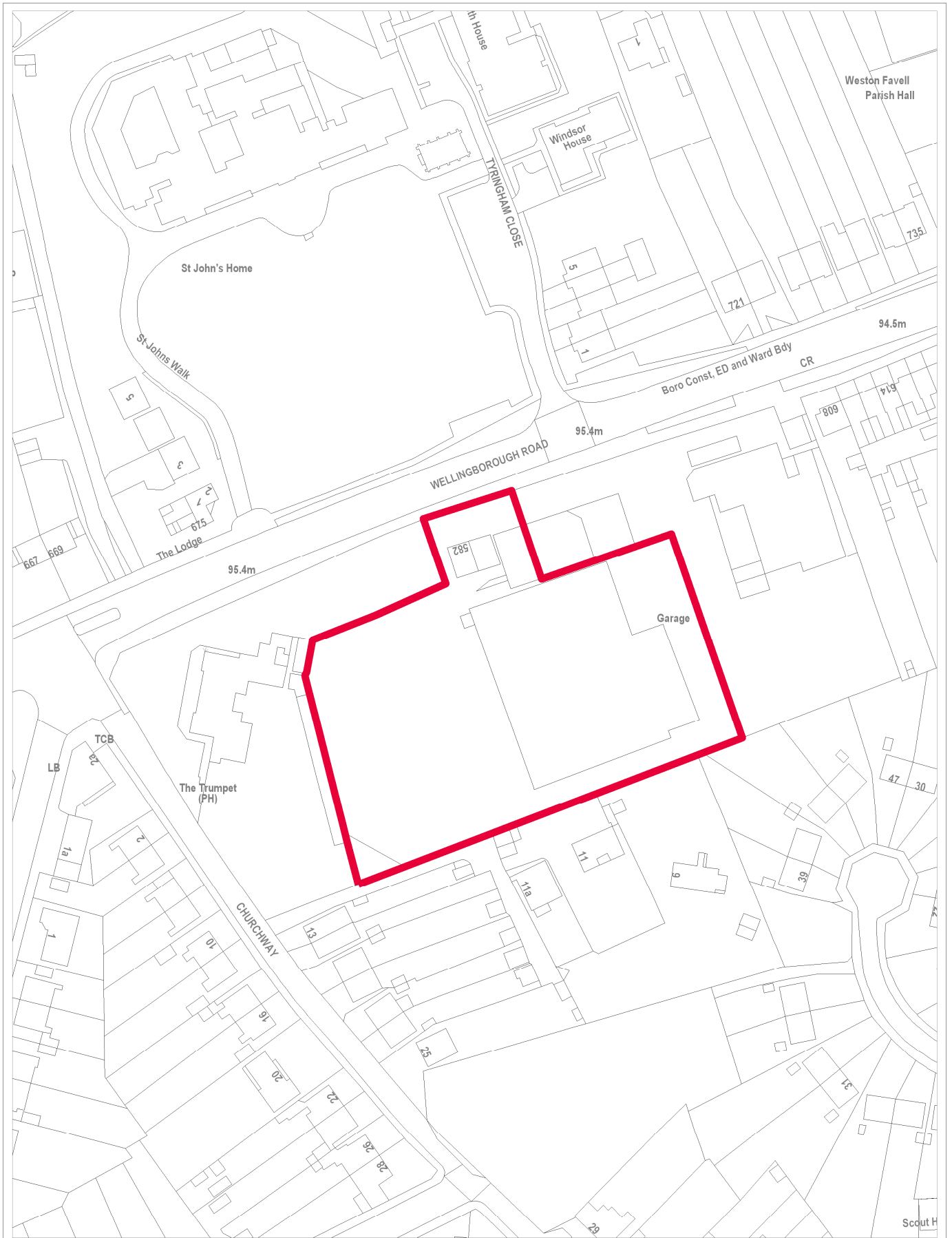
10.1 None.

## **11. SUMMARY AND LINKS TO CORPORATE PLAN**

11.1 In reaching the attached recommendations regard has been given to securing the objectives, visions and priorities outlined in the Corporate Plan together with those of associated Frameworks and Strategies.

<b>Position:</b>	<b>Name/Signature:</b>	<b>Date:</b>
<b>Author:</b>	Ben Clarke	21/12/09
<b>Development Control Manager Agreed:</b>	Gareth Jones	24/12/09





Name: Jon Martin  
 Date: 23rd December 2009  
 Scale: 1:1250  
 Dept: Planning  
 Project: Ctte Location Plan

Title  
**582 - 592 Wellingborough Road**

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**NORTHAMPTON**  
B O R O U G H C O U N C I L

**PLANNING COMMITTEE:** 12<sup>th</sup> January 2010  
**DIRECTORATE:** Planning and Regeneration  
**HEAD OF PLANNING:** Susan Bridge

**APP: N/2009/0744:** Reserved matters application including appearance, landscaping, layout and scale pursuant to outline consent WN/2006/0013 dated 19.04.2007 – Erection of 231 dwellings, roads and sewers and public open space at Phase 3 Former Timken Site, Main Road, Duston.

**WARD:** Old Duston

**APPLICANT:** David Wilson Homes / Bellway Homes  
**AGENT:** None

**REFERRED BY:** Head of Planning  
**REASON:** Major Application

**DEPARTURE:** Yes

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**APPLICATION FOR CONSULTATION BY WNDC:**

**1. RECOMMENDATION**

1.1 That the Council raise NO OBJECTIONS for the following reason:

It is considered the development would be in accordance with the British Timken Masterplan and Development Brief and Design Code.

1.2 If WNDC are minded to approve the application then conditions are requested to be attached to any approval notice to deal with:

- Unexpected contamination
- Submission of an Aboricultural Impact Assessment report
- Noise – to ensure that the impact of noise has been considered on the residential properties located adjacent to the employment area.

**2. BACKGROUND**

- 2.1 This application for consultation was originally presented to Planning Committee on 27th October 2009 but was deferred as WNDC had requested amended plans from the applicant addressing concerns WNDC had regarding design, layout and materials for some dwellings of the site. This consultation now relates to the amended plans.

### **3. THE PROPOSAL**

- 3.1 Refer to appended report as previously reported to the Planning Committee meeting on 27th October 2009.

### **4. SITE DESCRIPTION**

- 4.1 Refer to appended report

### **5. PLANNING HISTORY**

- 5.1 Refer to appended report

### **6. PLANNING POLICY**

- 6.1 Refer to appended report

### **7. CONSULTATIONS/REPRESENTATIONS**

- 7.1 Refer to appended report

### **8. APPRAISAL**

- 8.1 Although the scheme has been amended it is still considered that the overall appraisal made in the original report as appended is still considered to be relevant.

### **9. CONCLUSION**

- 9.1 The design and layout of the amended scheme is considered acceptable as it appears to accord with the British Timken Masterplan and Development Brief and Design Code and is consistent with both local and national planning policy.

### **10. BACKGROUND PAPERS**

- 10.1 British Timken Masterplan and Development Brief and Design Code (DBDC).

### **11. LEGAL IMPLICATIONS**

- 11.1 None

### **12. SUMMARY AND LINKS TO CORPORATE PLAN**

12.1 In reaching the attached recommendations regard has been given to securing the objectives, visions and priorities outlined in the Corporate Plan together with those of associated Frameworks and Strategies.

<b>Position:</b>	<b>Name/Signature:</b>	<b>Date:</b>
<b>Author:</b>	Rowena Simpson	21/12/09
<b>Development Control Manager Agreed:</b>	Gareth Jones	22/12/09

**APPENDIX**  
**REPORT TO PLANNING COMMITTEE 27 OCTOBER 2009**

**PLANNING COMMITTEE:** 27<sup>th</sup> October 2009  
**DIRECTORATE:** Planning and Regeneration  
**HEAD OF PLANNING:** Susan Bridge

**APP: N/2009/0744:** Reserved matters application including appearance, landscaping, layout and scale pursuant to outline consent WN/2006/0013 dated 19.04.2007 – Erection of 231 dwellings, roads and sewers and public open space.

**WARD:** Old Duston

**APPLICANT:** David Wilson Homes / Belway Homes  
**AGENT:** None

**REFERRED BY:** Head of Planning  
**REASON:** Major Application

**DEPARTURE:** Yes

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**APPLICATION FOR CONSULTATION BY WNDC:**

**1. RECOMMENDATION**

1.1 That the Council raise NO OBJECTIONS for the following reason:

It is considered the development would be in accordance with the British Timken Masterplan and Development Brief and Design Code.

1.2 If WNDC are minded to approve the application then conditions are requested to be attached to any approval notice to deal with:

- Unexpected contamination
- Submission of an Aboricultural Impact Assessment report
- Noise – to ensure that the impact of noise has been considered on the residential properties located adjacent to the employment area.

**2. THE PROPOSAL**

2.1 The submitted application seeks permission for the third phase of residential development of the British Timken site consisting of 231 dwellings and public open space consisting of parkland and playing fields.

2.2 A mix of 1 and 2 bedroom apartments and 2, 3, 4 and 5 bedroom houses including 50 affordable units are proposed.

2.3 In support of the application, the following have been submitted:

- Design and Access Statement
- Waste Audit
- Energy and Sustainability Report
- Design Code Requirements

### **3. SITE DESCRIPTION**

3.1 The former British Timken site is located at Duston, north of Main Road and west of Bants Lane on the edge of Duston Village. The former industrial site has been cleared and the development of new residential areas and associated infrastructure works has commenced.

3.2 The application site (phase 3) is part of the wider redevelopment of the former industrial site. Phase 3 lies at the centre of the site and consists of an area of 8.75 ha which will be accessed from Cotswold Way to the north.

### **4. PLANNING HISTORY**

4.1 Since c1942 the site was operated by British Timken as a manufacturing plant for engineering bearings. In 2002 a decision was taken to close the site which then employed 950 workers.

4.2 In September 2004 Northampton Borough Council resolved to granted approval in principle for the redevelopment of the site to a mixed-use development comprising business, industry, housing, sports facilities, and public open space.

4.3 Outline planning permission (WN/2006/0013) was subsequently granted by WNDC subject to conditions and a legal agreement on 19<sup>th</sup> April 2007 for a mixed use development of the site comprising employment development (offices and light/general industrial), housing, public open space, community recreation facilities and mixed commercial/residential/community development.

4.4 In granting outline consent for redevelopment of the site a condition and planning obligations were imposed requiring the submission of a Masterplan and Development Brief and Design Code (DBDC) and Sustainable Strategy for the site.

4.5 The Masterplan and DBDC were approved by WNDC on 4<sup>th</sup> September 2007 for development control purposes in the conception, consideration and determination of Reserved Matter Planning Applications.

4.6 Further applications submitted are as follows:

07/0272/REMWNN – Reserved matters application including layout, scale, appearance and landscaping pursuant to Outline Consent (ref.

WN/2006/0013) for the erection of 77 dwellings, roads and sewers. (Phase1). – Approved 30<sup>th</sup> November 2007

07/0278/REMWNN - Reserved matters application including layout, scale, appearance and landscaping pursuant to Outline Consent (ref. WN/2006/0013) for the erection of 22 dwellings, garages and all associated infrastructure works. (Withdrawn).

08/0088/REMWNN – Reserved matters application including layout, scale, appearance and landscaping pursuant to Outline Consent (ref. WN/2006/0013) for the erection of 2 dwellings. Revision to planning permission 07/0272/REMWNN. – Approved 24<sup>th</sup> April 2008.

08/0065/REMWNN – Reserved matters application including layout, scale, appearance and landscaping pursuant to Outline Consent (ref. WN/2006/0013) for the erection of 24 dwellings, garages and all associated infrastructure works.. – Approved 7<sup>th</sup> May 2008.

08/0112/REMWNN - Reserved matters application including layout, scale, appearance and landscaping pursuant to Outline Consent (ref. WN/2006/0013) for the erection of 167 dwellings roads and sewers (Phase 2). – Approved July 2008.

## **5. PLANNING POLICY**

### **5.1 Development Plan**

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires a planning application to be determined in accordance with the Development Plan unless material planning considerations indicate otherwise. The current Development Plan comprises of the East Midlands Regional Plan, the saved policies of the Northamptonshire County Structure Plan and Northampton Local Plan 1997.

### **5.2 National Policies:**

PPS 1 – Delivering Sustainable Development

PPS3 – Housing

PPG4 – Industrial and Commercial Development and Small Firms

PPG13 – Transport

PPG17 – Planning for Open Space, Sport and Recreation

PPS22 – Renewable Energy

PPS23 – Planning and Pollution Control

PPG24 – Noise

PPG25 – Development and Flood Risk

### **5.3 East Midlands Regional Plan 2009**

Policy 2 – Promoting Better Design

Encourages highway access and parking that improves both safety and the quality of public space, whilst seeking design that reduces crime and the fear of crime.

#### 5.4 **Northampton Borough Local Plan**

E1 – Landscape and Open Space  
E19 – Implementing Development  
E20 – New Development  
E39 – Renewable Energy  
E40 – Crime and Vandalism  
H1 & H4 – Sites for major new residential development  
H7 - Housing Development Outside Primarily Residential Areas  
H14 – Open space and Children’s Play Areas  
H17 – Mobility Housing  
H32 – Affordable Housing  
B14 – Development for Non-Business Uses in Business Areas  
T4 & T12 – Impacts on the road network  
L1 – Existing recreational facilities  
L6 – Maintenance of Public Open Space

#### 5.5 **Supplementary Planning Guidance**

Northamptonshire County Parking Standards SPG 2003  
Planning out Crime in Northamptonshire SPG 2004  
Affordable Housing

### 6. **CONSULTATIONS/REPRESENTATIONS**

#### **Internal**

6.1 **Public Protection** - The majority of the issues within the remit of this section have already been addressed by conditions at the outline stage. In respect to contamination, the site investigation, risk assessment and the majority of the remedial works have been dealt with under conditions on the outline consent and the outstanding remedial works (topsoil capping and gas mitigation measures) have been agreed in principle and will be validated as the development progresses. It is however recommended that the unsuspected contamination condition is imposed in case any unforeseen contamination is discovered as the development progresses. In respect to noise, traffic noise mitigation measures are not required at this stage of the development, however there is some concern about the layout of the area of the site that is immediately adjacent to the commercial phases of the development. It is requested that the applicant should be asked to demonstrate that noise has been considered in the design of the layout of this part of the site.

6.2 **Arboricultural Officer** - There are numerous trees located within the proposed development site which require consideration. In accordance with section 7.3 of the submitted Arboricultural Survey undertaken on behalf of the developers by Symbiosis Consulting and dated 16<sup>th</sup> November 2007: ‘As the proposals for each phased are prepared, an Arboricultural Impact Assessment (AIA) report should be submitted with the finalised layout to support the planning application. This will include a tree protection plan (TPP), which will clearly identify the trees



to be removed and those to be retained. The precise location for the erection of protective fencing and any other relevant physical protection measures, including ground protection, to safeguard the root protection area will be marked on a construction exclusion zone on this plan. This will allow one specific element of condition no. 37 to be discharged.' I would recommend that prior to any commencement of development that the above information is submitted for approval.

6.3 **NBC Planning Enforcement** – No comments received

6.4 **Access Officer** – No objections.

6.5 **Housing Strategy** – No comments received.

6.6 **Outdoor Environment Officer** - No comments received.

6.7 **Local Planning Policy** - No comments received.

6.8 **Regeneration** - No comments received.

6.9 **Street Cleansing Services** - No comments received.

6.10 **Councillors** - No comments received.

## 7. **APPRAISAL**

7.1 The proposal is an application for approval of reserved matters covering appearance, landscaping, layout and scale made to the WND. The site in question is identified within the Northampton Local Plan as being a location for business development.

### **Principle of Development**

7.2 The principle of the development is established by the outline planning permission for the comprehensive development of the former British Timken site granted by WND in April 2007.

### **Design**

7.3 Within the Masterplan, a series of character areas have been defined according to their location within the site. The application site (Phase 3) is situated at the centre of the site and is bounded by existing residential development on the western boundary, Phase 2 on the southern boundary and proposed playing field / open parkland to the northern and eastern boundary that also forms part of this application.

7.4 The two character areas within the phase 3 proposals are defined in the Design Code as Formal Residential and Employment Interface. The Design Code further specifies house types appropriate for each Character Area.

7.5 There are a mixture of house types within the proposed development, large double fronted detached houses, single fronted detached houses, semi-detached, terraced and flats. There is a small area within Phase 3 which has been designed as a buffer between the residential and employment uses. The development here is higher density and consists of three storey flats leading into Mews courtyards surrounded by two storey semi-detached houses.

7.6 There are three key groups of buildings in the Phase 3 proposals, The Crescent, The Northern Green and The Sports Ground Edge plus the employment interface. These have been designed in accordance with the principles established in the Design Code as follows:

The Crescent.

7.7 The Crescent features a contemporary architectural design which follows on from Phase 2. It comprises a continuous frontage and symmetrical arrangement on two and three storeys. With features such as projecting double height square bay windows, a base storey of banded brickwork and an attic storey which relates to historical examples of Victorian formal architecture.

Northern Green.

7.8 The Northern Green has a continuous street frontage of mainly 2 – 2.5 storey detached houses providing enclosure to the open space in the centre. The houses have a wide range of traditional architectural detailing based on buildings within Northampton which are inspired by the 1920's Arts and Crafts movement.

Sports Ground Edge.

7.9 The Sports Ground Edge has a continuous street frontage and asymmetrical arrangement set in a formal layout with a variety of building types. They are a mixture of 2 and 2.5 storeys with features detailing to Edwardian dwellings that surround the Northampton Racecourse.

Employment Interface.

7.10 This area has been designed as a buffer between the residential and employment uses. The 3 storey flats are a contemporary design as suggested in the Design Code. The flats will have large areas of glazing, balcony features and mono pitched roofs. The houses have large areas of glazing. These buildings are on a larger scale and at a higher density than others on the site in response to the scale and massing of the adjacent employment uses.

7.11 The Design Codes have been used as the basis for all the major design principles incorporated into the proposals and are therefore considered acceptable.

**Density**

7.12 The Design Code determines maximum and minimum densities for each character area. The proposal for formal residential units in the proposed development is 38.6 dwellings per hectare and falls within the allowable density range of 35 – 40 dwellings per ha. The employment interface dwellings give a density of 66.7 dwellings per ha. This is higher than the maximum of 50 dwellings per ha stated in the design code due to the number of flats proposed at this location. This part of the site has been designed as such to act as a transitional buffer between the employment area and the proposed residential development in Phase 3. For this reason and because overall the total number of dwellings within phase 3 does not exceed the maximum density range of 236 units, the proposal is considered acceptable.

### **Affordable Housing**

7.13 The Masterplan proposes a mix of house types and tenures including 22% affordable housing. The development has been designed to provide a mix of housing throughout the site as follows:

- 12 no. 1 bed flats
- 12 no. 2 bed flats
- 11 no. 2 bed houses
- 12 no. 3 bed houses
- 3 no. 4 bed houses

This provides 50 affordable units which have been dispersed throughout the site and agreed with NBC Housing Directorate. Affordable housing provision is therefore considered satisfactory.

### **Mobility Housing.**

7.14 The proposals incorporate the provision for 10% of the total number of private and affordable dwellings to be constructed in accordance with the requirements of Northampton Borough Council Mobility Housing Design Guide. These units comprise a mixture of 1 and 2 bedroom ground floor flats and 3 and 4 bedroom houses.

### **Access**

7.15 There are two vehicular accesses into the site. At the southern end access is from Main Road through the Phase 1 and 2 developments, and at the northern end it is from Cotswold Avenue through the playing fields and open parkland. Vehicular movement through the site has been restricted with no direct vehicular link from Duston Village to Cotswold Ave to prevent potential 'rat – runs'

7.16 The scheme takes into consideration the movement of pedestrians and cyclists and provides alternatives to moving around the development in a car.

- 7.17 The highway and parking standards for the whole of the British Timken site have been agreed with County Council Sustainable Transport Team as part of the DBDC process. The reserved matters application appears to be in accordance with the design principles set out within the DBDC in terms of car parking provision, highway specification and treatment of footpath and cycle links.

### **Landscaping**

- 7.18 The existing vegetation on the former British Timken site is limited. The Masterplan therefore seeks, where possible, to retain and protect any existing vegetation. The DBDC sets out design principles for these and other areas of open space within the development.
- 7.19 There are 6 areas of identified open space within the phase 3 site. These include 5 areas of open space within the development and an area of parkland (2.32ha) to the north of the development area. The treatment of these spaces within the reserved matters application are generally as set out within the open space principles and would therefore accord with the DBDC.

### **Residential Amenity**

- 7.20 The application site would abut existing property immediately to the south on Sir John Pascoe Way. Two properties side onto the application site. Three blocks of maisonettes back onto the site. The separation distances between these properties are considered to be acceptable.
- 7.21 Within the site the proposed layout is generally considered to result in a satisfactory level of amenity for future occupiers. Concern has been raised however by Borough Council Environmental Health officers regarding the noise impact of the existing employment area on the proposed residential units where these to two uses would be immediately adjacent to each. It is requested that the applicant should demonstrate that noise has been considered in the design of the layout of this part of the site.

## **8. CONCLUSION**

- 8.1 The design and layout of the scheme is considered acceptable as it appears to accord with the British Timken Masterplan and Development Brief and Design Code and is consistent with both local and national planning policy.

## **9. BACKGROUND PAPERS**

- 9.1 British Timken Masterplan and Development Brief and Design Code (DBDC).

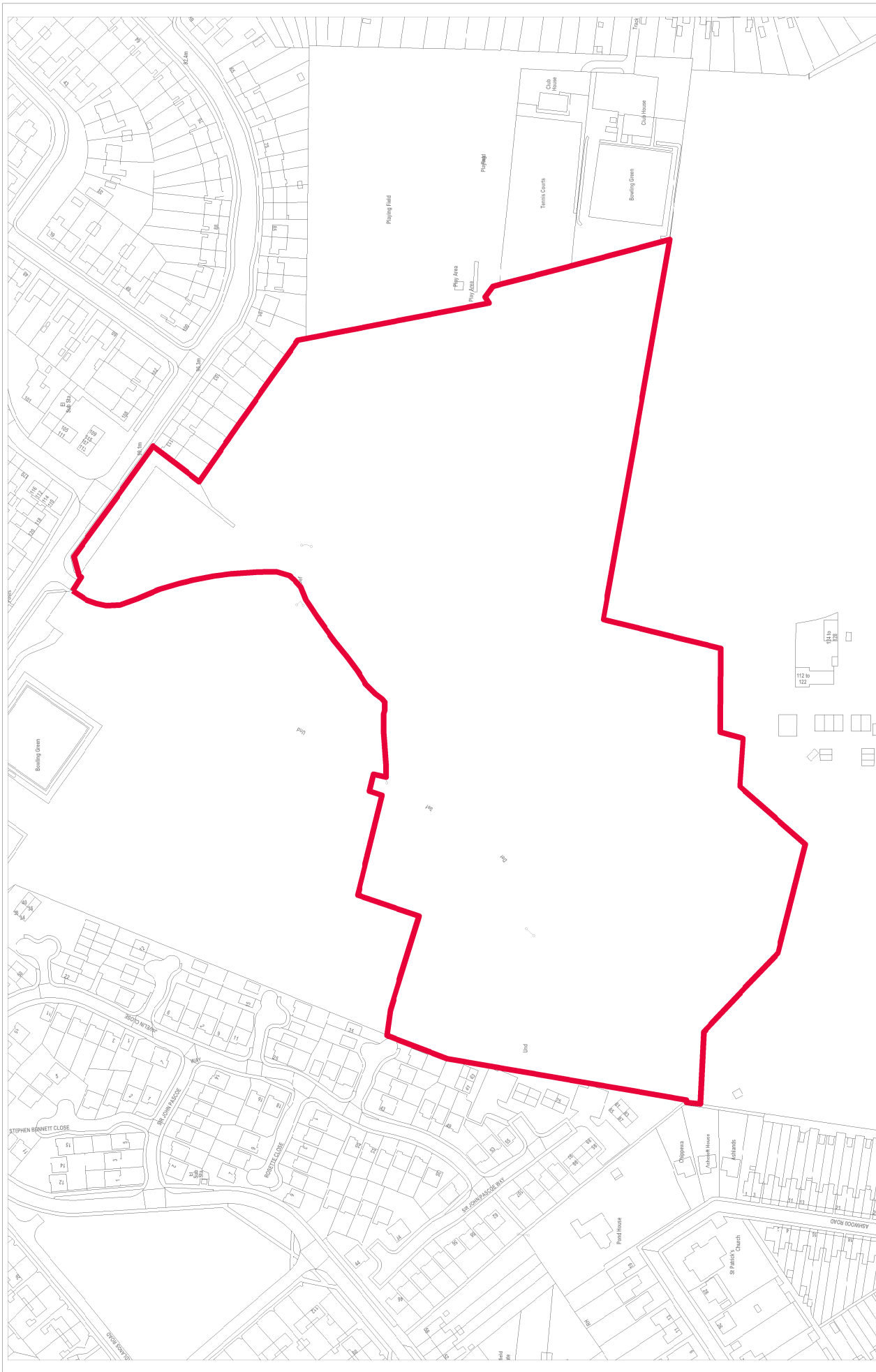
**10. LEGAL IMPLICATIONS**

10.1 None

**11. SUMMARY AND LINKS TO CORPORATE PLAN**

11.1 In reaching the attached recommendations regard has been given to securing the objectives, visions and priorities outlined in the Corporate Plan together with those of associated Frameworks and Strategies.

<b>Position:</b>	<b>Name/Signature:</b>	<b>Date:</b>
<b>Author:</b>	Rowena Simpson	7/10/09
<b>Development Control Manager Agreed:</b>	Gareth Jones	9/10/09



**The Former Timken Site, Main Road, Duston.**

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<p> <b>Author:</b> Jon Martin  <b>Date:</b> 23rd December 2009  <b>Scale:</b> 1:2500  <b>Dwg:</b> Planning  <b>Project:</b> Cite Location Plan       </p>	<p>    <b>NORTHAMPTON</b>  <b>BOROUGH COUNCIL</b> </p>
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